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AGOBARD AND HIS RELATIONS WITH THE JEWS

A thesis presented

by

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History

AGOBARD AND HIS RELATIONS WITH THE JEWS

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by

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INTRODUCTION

One of the major problems in dealing with medieval anti-Semitism is determining an historical point at which to begin. Anti-Semitic Churchmen justified their position by means of the Bible and the writings of the Fathers, and it is necessary for the historian who wishes to deal with medieval anti-Semitism as a whole to begin with the attitudes of the Primitive Church and of the Fathers. The purpose of this paper is modest; it deals only with the relations between Bishop Agobard of Lyon and the Jews of that city. Agobard, however, relied heavily on the canons of the Merovingian Church in determining his solution to the ninth-century Jewish problem, and it is therefore with that epoch that this paper begins.

This paper is titled "Bishop Agobard and his Relations with the Jews" for two reasons. First, it is important to understand that Agobard's initial conflict with the Jews was largely due to his concept of his own episcopal and priestly prerogatives. Strictly speaking, this conflict, which involved his right to baptize pagan slaves owned by Jews, was a conflict between the bishop and the king who had allowed Jews to prevent such baptisms. Second, Agobard's relations with the Jews were not static and it is wrong to speak of

his policy toward them as if he maintained an unchanging policy. His anti-Semitism was not something he learned from a careful reading of the Fathers; rather, it developed in the course of specific events.

The term anti-Semitism was first coined in the nineteenth century to describe a particular racist doctrine. Nevertheless, it is convenient if not anachronistic to describe Agobard's final policy toward the Jews as anti-Semitic since he demanded an economic and social boycott of the Jews, their segregation from Christian society, and an end to their various legal privileges. Agobard was not a racist because he believed the special Jewish taint could be cleansed by baptism. It is simpler, however, to state that the basis of medieval anti-Semitism was religious than to invent some new term to describe non-racist anti-Semitism.

The influence of the Jews on ninth-century Christians is a matter of some importance. A number of historians, including Chevallard and Bressolles and more recently Cabaniss, have stressed Jewish attacks on Christianity and proselytism as the fundamental causes of Agobard's anti-Semitism. Such opinions are, however, derived from Agobard's own anti-Semitic writings, the objectivity of which is questionable. There can be no doubt that Jews did attack the Christian religion and that an occasional Christian did convert to Judaism. It will be shown, however, that Agobard makes no

mention of any special Jewish audacity in his two earliest letters concerning the Jews, and that his sharp attacks on them came only after imperial officials forcibly returned baptized slaves to their original Jewish owners.

C H A P T E R I

THE JEWS IN GAUL

Jews arrived in Gaul during the Roman period but there is no record of large Jewish populations until the Merovingian period. The arrival of large numbers of Jews in Gaul can probably be associated with the general migration of people referred to as Syrians in contemporary documents. Throughout the course of the fifth, sixth and seventh centuries these people established merchant colonies in all regions of Gaul.¹ Arriving first at the ports of Marseilles and Narbonne they penetrated central Gaul by means of the Rhone and Saone. Once established in the central area, Bordeaux was easily accessible by means of the Garonne, Orleans by means of the Loire, and Paris by means of the Seine. Jewish merchants and population penetrated Gaul by the same routes.² These Jewish and Syrian merchants enjoyed a virtual monopoly on all eastern trade, supplying the Church with the silk, incense and plate necessary for the proper worship of God and procuring oil, Gaza wine, spices and

¹ Louis Breheir, "Les colonies d'orientaux en occident au commencement du Moyen-Âge," Byzantische Zeitschrift, XII (1903), pp. 1-38.

² Cecil Roth, "Economic Life and Population Movements," in The World History of the Jews, C. Roth, ed., series 2, vol. I, The Dark Ages (Rutgers, 1966), pp. 45-47.

other luxuries to satisfy Merovingian kings, nobles, and prelates.³

Although many Jews were active in commerce at the end of the sixth century, the vast majority was engaged in occupations which in no way differentiated them from their Christian and pagan neighbors. Although there are no references to Jewish ownership of land in the documents of Merovingian Gaul,⁴ letters of Pope Gregory the Great indicate that Jewish ownership of the land and farming were commonplace in Italy⁵ and a similar condition existed in Spain until the persecutions of the seventh century.⁶ Carolingian documents clearly prove that Jews owned land and sold produce and there is no reason to assume that similar conditions did not prevail under the Merovingians.

In general, relations between Christians and Jews in pre-Crusade Europe were peaceful if not friendly.⁷ These

³Jean Ebersolt, Orient et Occident, Recherches sur les influences Byzantines et Orientales en France avant les croisades (Paris, 1828), vol. I, p. 29. Wilhelm von Heyd, Histoire du commerce du Levant au Moyen-Âge (Leipzig, 1885), pp. 22-25 and 128.

⁴Solomon Katz, The Jews of the Visigothic and Frankish Kingdoms of Spain and Gaul (Cambridge, 1937), p. 94.

⁵Gregory the Great, Epistolae II, 38 and V, 7; MGH, Epistolae, vol. I, pp. 134 and 288.

⁶Katz, p. 34.

⁷Shalmo Wittameyer Baron, A Social and Religious History of the Jews (New York, 1952), vol. IV and Bernhard Blumenkranz, Juifs et chrétiens dans le monde occidental 430-1096 (Paris, 1960) are two very valuable books dealing with this

relations were disturbed from time to time by violence. The violence which did occur should be attributed to the generally violent nature of the period rather than any deeply rooted hatred toward the Jews. Anti-Semitism or, more accurately, anti-Judaism was for the most part restricted to the higher clergy and only occasionally did a Merovingian king indulge in persecution or issue an anti-Jewish decree, and then, probably, only in response to the demands of the clergy.

Sidonius Apollinaris (420-490), bishop of Clermont, made use of a Jewish messenger and did not hesitate to recommend the services of a Jew to a fellow bishop even while proclaiming his detestation of the man's religion.⁸ Hilary of Arles seems to have been on friendly terms with the Jews; they added their Hebrew lamentations to those of the Christians at his funeral in 459.⁹ A century later Jews

subject. The Responsa literature contains innumerable references to friendly relations between Christians and Jews. An accessible and convenient English translation of a number of responsa is Irving Agus, Urban Civilization in pre-Crusade Europe (New York, 1965), 2 vols. The reader is forewarned that the historical views of Mr. Agus are not always sound and that his interpretations of the documents often seem farfetched.

⁸Sidonius Apollinaris, Epistolae III, 4 and VI, 11; MGH, Auctores Antiquissimi, vol. VIII, pp. 43 and 100.

⁹Reverentio, Vita Hilarii Arelatensis, c. 22; Patrologia Latina (hereafter PL), vol. L, col. 1243.

also mourned the death of Bishop Caesarius in the same city.¹⁰

Gregory of Tours wrote of a number of kings, bishops, priests and others who had dealings with the Jews. Gregory himself was no friend of the Jews and he regarded association with them as a sign of decadence and corruption. Cautinus, the greedy and drunkard bishop of Clermont in the middle of the sixth century, was, according to Gregory, on familiar terms with Jewish merchants and bought precious items at inflated prices from those adept at flattering him.¹¹ Upon the death of Cautinus, the priest Euphrasius sought the diocese and attempted to bribe the king with goods purchased from the same Jewish merchants.¹² Leonastes, the arch-deacon of Bourges, despairing of a divine cure for his failing vision, consulted a Jewish doctor. For his lack of faith he was struck with blindness.¹³ In 584 Armentarius, a Jewish moneylender, was slain by two noble Christian debtors.¹⁴ Jews, it should be noted, were by no means the only people engaged

¹⁰ Gregory of Tours, Vita Patrum, c. 6; MGH, Scriptores Rerum Merovingorum, vol. I, p. 686.

¹¹ Gregory of Tours, Historia Francorum, liber IV, c. 12; MGH, Scriptores Rerum Merovingorum, vol. I, p. 148.

¹² Ibid., lib. IV, c. 35; p. 169.

¹³ Ibid., lib. V, c. 11; pp. 199-200.

¹⁴ Ibid., lib. VII, c. 23; p. 305.

in lending money during the early medieval period. Responsa of the tenth and eleventh centuries indicate that Jews often borrowed money at interest from Christians.¹⁵

In 576 Avitus of Clermont ordered the Jews of his city to accept baptism or exile in order to end the riots caused by a Jew who, enraged at the sight of a former co-religionist in a baptismal procession, poured rancid oil on the convert's head. Five hundred Jews accepted baptism; the remainder fled to Marseilles and Arles.¹⁶

These Jews forestalled rather than avoided persecution. In 592 Bishops Theodore of Marseilles and Virgilius of Arles initiated campaigns to convert forcibly the Jews. A Jewish merchant from Italy noted their plight and reported the matter to no less a person than Pope Gregory the Great. The pope ordered the bishops to desist, pointing out that one must become a Christian by free will and that forced converts are likely to make poor Christians, and he recommended that instead of force the bishops use persuasion to convert the Jews.¹⁷ This position is the one consistent with Christian dogma. Pope Gregory, it should be noted, although he

¹⁵ See for example various responsa by Gershom and Rashi in Agus, pp. 235, 237, 322, 335, and 347.

¹⁶ Historia Francorum, lib. V, c. 11; p. 191.

¹⁷ Gregory the Great, Epistola I, 45; p. 71.

abhorred violent means of converting Jews, nevertheless believed that serious efforts should be undertaken to secure their conversion and he did not hesitate to use material inducements; Jewish tenants on papal estates received as much as a one-third reduction in rent when they converted.¹⁸

King Chilperic, whom Gregory despised on account of his meddling in theology and inclination toward heresy, was on familiar terms with a Jewish merchant, Priscus, who frequented the court and supplied the king with unspecified precious objects. During one of these visits the king ordered Priscus and Gregory of Tours, who was also present, to debate the relative merits of their respective religions.¹⁹ Shortly thereafter in 582 Chilperic ordered the baptism of all Jews living in his realm. Those who refused were to be put in jail. Priscus avoided both on the rather flimsy excuse that he had to go to Marseilles to marry his son to a Jewish girl. Gregory writes that many Jews, although baptized, continued to observe their religion. The Paris synagogue remained open, although it was apparently moved to a secret location.²⁰

¹⁸ Ibid., Epistola I, 45; p. 389.

¹⁹ Historia Francorum, lib. VI, c. 17; p. 260.

²⁰ Ibid., lib. VII, c. 11; p. 276. Blumenkranz, p. 150, suggests that certain Jews were exempt from the conversion order on account of their friendship with the king and on account of them the synagogue was allowed to remain open.

One Sabbath morning as he walked unarmed to this synagogue Priscus was slain by a converted Jew, Phatir, and two of Phatir's slaves. Phatir and his slaves sought refuge in a nearby church. The two slaves were eventually executed for their crime, but Phatir, who was a godson of the king, was allowed to flee to his native Burgundy where he was killed by relatives of Priscus.²¹ Phatir's murder by the kin of Priscus indicates that some Jews practiced vendetta; they were well assimilated into Frankish society.

It is possible that both Priscus and Phatir were under the personal protection of the king. The flight of Phatir to a church is perhaps indicative of his fear of royal justice. Phatir was, however, forgiven of the crime probably because the king had stood as his godfather during his baptism. Certainly there was nothing to preclude a Jew from living under the specific protection of the king. The legal status of the Jews in Frankish society of both the Merovingian and Carolingian epochs has been a matter of extensive scholarly debate.²² It is probable that the Jews were

²¹Historia Francorum, lb. VII, c. 11; p. 276.

²²For a brief review of the literature written before 1937 concerning this debate, see Katz, pp. 82-87. Simon Dubonov, History of the Jews (New Brunswick, 1968), vol. II, p. 547 and Katz, p. 85, claim that Jews were treated as strangers and were outside the law. Blumenkranz, p. 210; James Parkes, The Jew in the Medieval Community (London, 1938), pp. 100-105; and Simon Swarzfuchs, "Carolingian Policy toward the Jews," in The World History of the Jewish People, ser. 2, vol. I, The Dark Ages, pp. 126-127, claims the Jews were protected in accordance with Roman law.

accorded the status of freemen and were not regarded as strangers unprotected by the law. Charters granted Jews during the Carolingian period do not differ substantially from charters granted to various non-Jews and thus the existence of such charters does not indicate that the Jews were outside the protection of the law.²³ Regardless of their exact legal status, some Jews, and merchants in particular, placed themselves under the special protection of the king in order to gain a number of advantages including the exemption from a number of tolls.²⁴

The official attitude of the Merovingian Church towards the Jews was one of hostility and suspicion. Needless to say, such attitudes were hardly the invention of the Gallic Church. The basis for the hostility and suspicion and the basis for legislation against the Jews was Christian fear of Jewish proselytism.²⁵ Some Jews had been active proselytizers during the days of the Roman Empire and the Talmud, in spite of a few unfavorable remarks, is generally favorable

²³ Guido Kisch, The Jews in Medieval Germany, A Study of their Legal and Social Status (Chicago, 1949), pp. 136-138.

²⁴ Xavier Gasnos, Étude historique sur la condition des Juifs dans l'ancien droit français (Angers, 1897), p. 32.

²⁵ B. Blumenkranz, Juifs et chrétiens dans le monde occidental is essentially a study of Christian fear of Jewish proselytism. Blumenkranz tends to exaggerate the actual extent and effectiveness of such proselytism.

toward proselytes.²⁶ The Christian emperors took various measures to end Jewish missionary activity and to end Jewish proselytism. Theodosius II, for example, in 423 decreed that any Jew who circumcised a non-Jew was to be punished by exile and later he increased the penalty to death.²⁷ The extent to which proselytism prevailed in Merovingian Gaul is impossible to determine. Certainly Jews in Gaul circumcised slaves in accordance with the Talmudic injunction,²⁸ and this no doubt explains in part the particular concern by the prelates for slaves owned by Jews. Individual Jews may have persuaded individual free Christians and pagans to adopt Judaism, but Judaism, unlike Christianity, never possessed organized institutions for the purpose of gaining converts. The Talmud, moreover, imposes certain difficulties upon those who wish to convert in order to weed out those who seek conversion for selfish personal reasons.²⁹ Canonical legislation concerning the Jews was based to a

²⁶ See W. G. Braude, Jewish Proselytising in the First Five Centuries of the Common Era (Providence, 1940).

²⁷ Theodosian Code 16.8.26 and Novella III, 8.

²⁸ Babylonian Talmud, tractate Yebamoth 45b-46a.

²⁹ Ibid., Yebamoth 24b and 47a-47b.

great extent on a fear of proselytism, but that fear was probably exaggerated. Any religion making universal and absolute claims concerning the salvation of man tends, by that fact alone, to be exclusive and intolerant. The Christianity of the masses was on a very superficial level; the Church in restricting contact between Christian and Jews was guarding itself against what it considered incorrect religious practices.

Church legislation in Gaul against the Jews began modestly enough. The Council of Vannes in 465 forbade clerics to eat with Jews.³⁰ That prohibition was extended to all the faithful at the Council of Agde in 506³¹ and repeated by the Burgundian Council of Epaone in 516.³² No doubt the pious bishops believed that they were not only protecting Christians from harmful Jewish influences but also that they were avenging the insult rendered to Christianity by the Jewish refusal to eat the food of Christians.

³⁰ Concilium Veneticum, c. 12. G. D. Mansi, Sacrorum Concilium nova et amplissima collectio (hereafter Mansi), vol. VII, col. 954.

³¹ Concilium Agathense, c. 40. Mansi, VIII, col. 331.

³² Concilium Epaonense, c. 15. Mansi, VIII, col. 561; MGH Legum sect. III, vol. I, Concilia Aevi Merovingiae (hereafter Concilia), p. 22.

The Church, fearful of any influence Jews might have over Christians, sought to remove them from positions of public authority. In 535 the Council of Clermont forbade Jews to act as judges in cases which involved Christians.³³ This prohibition was repeated by the important Council of Macon in 581-583 which also forbade Jews to act as tellonarii or toll collectors. This type of legislation seems to have had little success and the Council of Paris in 614 decreed that any Jew who dared to accept a position of public authority was to be baptized immediately along with his entire family.³⁴

The Church enacted various other canons concerning the Jews. Intermarriage was forbidden by the second Council of Orleans in 533.³⁵ Intercourse between a Christian and a Jew was forbidden by the Council of Clermont in 535.³⁶ The third Council of Orleans (538) forbade Jews to appear in public between Holy Thursday and Easter Sunday.³⁷ The same

³³ Concilium Arvernense, c. 9. Mansi, VIII, col. 861; Concilia, p. 67.

³⁴ Concilium Parisense, c. 15 (17). Mansi, X, cols. 542-542; Concilia, p. 190.

³⁵ Concilium Aurelianense II, c. 19. Mansi, VIII, col. 838; Concilia, p. 67.

³⁶ Concilium Arvernense, c. 6. Mansi, VIII, col. 861; Concilia, p. 67.

³⁷ Concilium Aurelianense III, c. 30 (33). Mansi, IX, col. 19; Concilia, p. 83.

that a Jew must not convert a pagan or Christian slave, but the title to the particular canon mentions only circumcision and contains no reference to conversion.⁴² Circumcision and conversion were probably thought to be synonymous. Church legislation concerning Jewish possession of slaves served a number of purposes. It protected Christian slaves from possible abuse by Jewish masters. It made Christianity more attractive to pagan slaves owned by Jews and it attempted to end Jewish conversion and circumcision of their personal slaves. It should be noted that the Merovingian Church never attempted to confiscate without compensation the pagan or Christian slaves owned by Jews.

The third Council of Orleans decreed that Jews must not force Christian slaves to perform acts contrary to the Christian religion. If a Jewish master punished a Christian slave for observing the Christian religion or for a crime for which the Church had granted forgiveness, the slave could flee to a church from which he could not be removed unless the master gave a surety of value equal to the value of the slave.⁴³ This canon provided a means of securing for Christian slaves owned by Jews the same right of asylum

⁴² Concilium Aurelianense IV, title and c. 31. Mansi, IX, cols. 113 and 118; Concilia, pp. 91 and 94.

⁴³ Concilium Aurelianense III, c. 13 (14). Mansi, IX, col. 15; Concilia, p. 78.

council also prohibited Christian participation in Jewish
³⁸ feasts and condemned Christians who applied the rigorous
 demands of the Jewish Sabbath to the Lord's Day and refused
 to mount a horse or travel in a cart on that day.³⁹ In
 589 a Council in Narbonne decreed that Jews must refrain
 from work on Sunday and that Christians should not consult
 Jewish, Greek, Roman, or Syrian astrologers.⁴⁰

Of particular concern to the Church was Jewish possession
 of slaves. This concern arose from two circumstances.
 Jewish merchants were active in slave trade and many indivi-
 dual Jews possessed slaves. Jews were obligated by their
 own laws to perform a ritual ablution upon any slave pur-
 chased for their personal use from a non-Jew and to circum-
 cise male slaves within twelve months of his purchase. Such
 a slave was required to obey the negative commandments of
 Jewish law.⁴¹ Properly speaking, such a slave was not a
 convert, but it is doubtful that the bishops made such a
 subtle distinction. The fourth Council of Orleans decreed

³⁸ Concilium Aurelianense III, c. 13 (14). Mansi, IX,
 col. 15; Concilia, p. 78.

³⁹ Ibid., c. 28 (31). Mansi, IX, col. 19; Concilia, p. 82.

⁴⁰ Concilium Narbonense, c. 14. Mansi, IX, col. 1016.

⁴¹ Babylonian Talmud, tractate Yebamoth 45b-49a.

granted all slaves by the first Council of Orleans in 511. Any Christian who punished a slave for a crime forgiven by the Church could be excommunicated and a slave who fled to a church could not be removed unless the owner promised not to punish him.⁴⁴ A Jew, of course, could neither swear upon holy relics nor be excommunicated and thus he was required to give a surety to regain his slave.

The fourth Council of Orleans declared that a Jew who converted a single pagan or Christian slave to Judaism was to lose all his slaves. If a slave born of Christian parents embraced Judaism in order to secure his freedom, such a manumission was not considered valid.⁴⁵ Jewish law required the eventual manumission of any slave who accepted the Jewish religion and the Church in denying the validity of such manumissions was simply attempting to prevent the conversion of such slaves. Later Church legislation handed converted and confiscated slaves over to the royal fisc.⁴⁶ The fourth Council of Orleans also decreed that a Christian

⁴⁴ Concilium Aurelianense I, c. 3. Mansi, VIII, col. 351; Concilia, p. 3.

⁴⁵ Concilium Aurelianense, c. 31. Mansi, IX, col. 118; Concilia, p. 94.

⁴⁶ Concilium Clippiacense (626-628), c. 11 (13). Mansi, X, col. 596; Concilia, p. 199.

could redeem any Christian slave owned by a Jew by paying the Jewish master a fair price.⁴⁷ This measure was intended to reduce and perhaps abolish Jewish possession of Christian slaves.

Jews, however, continued to own Christians and convert slaves. The Council of Macon (581-583) attempted to end proselytism of slaves and Jewish possession of Christians. A Jew who attempted to convert a single slave not only lost his other slaves, but also lost the right to make a will and upon his death his property went to the king. A Christian could redeem a Christian slave by paying twelve solidi to the Jewish master. If the Jew refused the sum, the slave could simply leave his Jewish master.⁴⁸ This is in sharp contrast to Salic law which regarded a slave as merely another beast of burden.⁴⁹

The Council of Macon did not succeed in ending Jewish possession of Christian slaves. In 599 Pope Gregory the Great wrote letters to the rulers of the three Frankish realms expressing his horror and indignation that Jews were

⁴⁷ Concilium Aurelianense IV, c. 30. Mansi, IX, col. 118; Concilia, p. 94.

⁴⁸ Concilium Matisconense, c. 16 (17). Mansi, IX, col. 935; Concilia, p. 159.

⁴⁹ Charles Verlinden, L'esclavage dans l'Europe medievale, vol. 1, Peninsule Iberique-France (Brugges, 1955), p. 657.

allowed to own Christian house-hold slaves.⁵⁰ The pope's letters seem to have had little effect. Church legislation in the first quarter of the seventh century repeated many of the earlier canons. The Council of Clichy departed from the previous canons; in order to end Jewish possession of Christian slaves this council declared that any Christian who sold a fellow Christian to a Jew or pagan would be excommunicated.⁵¹ This council thus recognized that the problem of Jewish possession of Christians could not be solved merely by restricting Jews but also by restricting Christians who themselves profited from the sale of slaves to Jews.

In 629, shortly after the Council of Clichy, Dagobert ordered the Jews expelled from the Frankish lands under his control.⁵² It has been suggested that his order was prompted by the refusal of the Jews of his kingdom to obey laws pertaining to slaves.⁵³ Many Jews, in order to avoid exile, may have converted to Christianity. The details of this persecution are obscure and that Dagobert himself had a

⁵⁰ Gregory the Great, Epistola IX, 213 and 214; pp. 198 and 201.

⁵¹ Concilium Clippiacense, c. 11 (13). Mansi, X, col. 596; Concilia, p. 199.

⁵² Fredegarius, Chronicon, liber IV, c. 65. MGH, Scriptores Rerum Merovincorum, vol. II, p. 153.

⁵³ Gasnos, p. 18.

merchant named Solomon⁵⁴ has led some to believe no such persecution occurred. It is not, however, stated that Solomon was in fact a Jew. The fifteenth-century Jewish historian Joseph ha Cohen, who may have had access to documents now lost, claimed that many Jews converted and others were slain during the reign of Dagobert.⁵⁵ It is to be noted that from the reign of Dagobert to that of Pepin there are very few records of Jews in Frankish documents. One reference is contained in the canons of the Council of Chalons-sur-Saone held sometime between 639 and 654; it decreed that Christian slaves must not be exported from the kingdom of Burgundy lest they fall into the hands of pagans and Jews,⁵⁶ an indication perhaps that at the time of the council there were no Jews in Burgundy.

By the ninth century, however, the Jews had not merely returned to Burgundy but also owned Christian slaves and sold them to the Moslems of Spain, much to the horror of Agobard. Both Charlemagne and his son Louis tolerated the Jews as a whole and bestowed a variety of favors upon Jewish individuals. Charlemagne, for example, appointed a Jew to

⁵⁴ Gesta Dagoberti, c. 33; MGH, Scriptores rerum Merovingorum, vol. II, p. 413.

⁵⁵ Katz, pp. 25-26.

⁵⁶ Concilium Cabilonense, c. 9. Mansi, X, c. 1191; Concilia, p. 210.

lead his embassy to Haroun al-Raschid in Bagdad.⁵⁷ This Jew may have been a merchant since Jewish and other merchants are known to have settled in Aix-la-Chapelle in order to be near the imperial court.⁵⁸ Louis the Pious not only tolerated Jewish merchants in his court but granted to them privileges which were contrary to the basic laws of the Church, much to Agobard's indignation.

The major reason for imperial protection of the Jews was material. Jewish merchants, referred to as Radanites in a single ninth-century Islamic work, were the international merchants of the ninth century.⁵⁹ Although Charlemagne entered into alliances with Haroun al-Raschid and a number of petty Islamic rulers in northern Spain in order to oppose the Ommayad threat, the worlds of Islam and Christendom remained for the most part mutually exclusive; Christians

⁵⁷ Einhardi annales, a. 801; MGH, Scriptores, vol. I, p. 190.

⁵⁸ Capitulare de disciplina palatii Aquisgranensis (circa 820), c. 2. MGH, Legum sect. II, Capitularia, vol. I, p. 258.

⁵⁹ Ibn Khordadbeh, The Book of Ways. For text and French translation, consult C. Barbier de Meynard, "Le Livre des routes et provinces par ibn Khordadbeh," Journal Asiatique, ser. 6, vol. v (1865), p. 114. The Radanite passage may be found in Katz, p. 134 and Roth, p. 24. Louis Rabinowitz, Jewish Merchant-Adventurers (London, 1948), is a detailed account of the activities of these merchants based on a thorough analysis of the passage from Ibn Khordadbeh.

could not travel freely in Moslem lands and Moslems could not travel in Christian lands and thus the Jews alone could act as intermediaries between the two,⁶⁰ securing the luxuries of the east in exchange for the fur, amber and, in particular, slaves, the commodity most in demand in the East. Large Jewish communities flourished in every part of the Caliphate and a Jewish merchant from Gaul was assured a warm welcome from his co-religionists in distant lands. The Abbasids maintained an excellent network of roads extending from North Africa to Khorason and ships from the Red Sea and Persian Gulf frequently voyaged to India and China. In the ninth century there was nothing to prevent the flow of merchandise from China to Gaul.⁶¹

Toleration of the Jews was more or less insured by the imperial taste for luxury. It is, of course, important to remember that only a very small fraction of the Jews in Gaul were merchants. It was necessary for the emperor to protect the interests of these merchants and thus Louis the Pious granted certain Jews the privilege of being able to forbid the baptism of their pagan slaves in order to prevent their being redeemed at the price of twelve solidi. It was his opposition to this uncanonical privilege which brought Agobard into conflict with the Jews and his king.

⁶⁰
Katz, p. 132.

⁶¹
Rabinowitz, p. 85.

CHAPTER II

AGOBARD OF LYON

Agobard of Lyon was one of the most renowned and influential prelates of his day. A vigorous defender of the Church against all enemies imagined or real, he was a staunch fighter for all he considered orthodox and true. A prolific writer of a not unduly florid Latin prose, he seems to have taken particular delight in polemic. He is, however, chiefly remembered for the role he took in the deposition of Louis the Pious. As a result of this action he became a controversial figure for French historians. Those of monarchist persuasion, predictably enough, condemn him; those of clerical persuasion, also predictably, condone him; those of republican persuasion, unsure which to hate more, the monarchy or the Church, generally take a more judicious or, perhaps, ambivalent attitude.¹ That debate, which seems to have served politics more often than history, is of little direct concern to us. Nevertheless, as will be shown, those historians of clerical persuasion who attempt to vindicate Agobard, claiming he was sincerely concerned with the unity of the empire and the integrity of the Church,

¹Mgr. Adrian Bressolles, Saint Agobard, Évêque de Lyon (L'Eglise et l'état au moyen âge, no. 9) (Paris, 1949), pp. 12-25 contains an excellent discussion of the historiography of Agobard.

are probably correct.

Little is known of Agobard's early life. No contemporary vita is extant. However, in the latter part of the seventeenth century, Mabillon unearthed in Rome a ninth-century manuscript of Bede's Calendarium de cyclis de sex aetatibus mundi which had at one time belonged to the Church of Lyon. This document contains a series of marginal notations pertaining to Agobard, some of which Agobard himself may have written.² This claim has been seriously challenged by Dom Cellier, who maintained that the notations were written by and for the most part pertain to Amulo, Agobard's successor to the See of Lyon.³ Even Bressolles admits there is no way of proving Cellier's claim to be entirely incorrect.⁴ Nevertheless, Bressolles, Pertz, Chevallard, and Cabaniss accept the Bede notations as pertaining to Agobard. A number of variant readings have been offered for certain notations, not so much on account of the scripts, which are excellent, but rather on account of the faded nature of the manuscript.⁵

² Jean Mabillon, Iter Italicum (Paris, 1687), vol. I, p. 68.

³ R. P. Dom Remy Cellier, Histoire générale des auteurs sacrés et ecclésiastiques (Paris, 1862), vol. XII, p. 365.

⁴ Bressolles, p. 38.

⁵ Idem.

Entries are given for the years 769 (779 according to Mabillon), 782, 792, 804, 816, 840, and 841. Bressolles distinguishes four hands, all in the same Visigothic style. The entry for the year 769 is in one hand. The entries for the years 782, 792, 804, and 816 are in a second hand, perhaps Agobard's, and is described as being "very firm, very readable, well-blocked, and orderly as if by a good copyist." The notation for the year 840 and a portion of the notation for the year 841 are in a third hand and a fourth hand completed that final notation.⁶

According to Bressolles the notation for the year 769 reads: Hoc anno natus.⁷ This reading contravenes one of Cellier's objections which was based on the earlier reading rendered by Mabillon: Hoc anno natus sum. Since two of the next four notations which are all written in the same hand are in the first person, an obvious difficulty would be encountered if the first notation were, in fact, written in the first person.

The second notation, written perhaps by Agobard himself, states: Hoc anno ab Hispania in Galliam Narbonensem veni. Cabaniss suggests that Agobard was among the band of refugees

⁶ Bressolles, p. 38.

⁷ Ibid., p. 37 contains renditions of the Bede notations by Mabillon, Pertz, and Bressolles. Unless stated otherwise, the notations quoted in the above text are those of Bressolles. The Pertz rendition may be found in MGH, Scriptores, vol. I, p. 110.

who, under the direction of Abbot Atala, fled the Saracens in the year 782.⁸ In 792 Agobard came to Lyon. According to Bressolles, the notation reads: Hoc anno Lugdunum a Gothia primum. This reading ends the problem created by the earlier reading: Hoc anno Lugdunum Agobardus primum. We do not know in what capacity he arrived in Lyon.

In 804, however, he was elevated to a rank of which he considered himself unworthy. The notation states: Benedictionem indignus suscepi. There is some question as to what that benediction was. Bressolles believes that Agobard was elevated to the rank of bishop or rather co-episcopus since Leidrad, his predecessor, was still alive. He bases this contention on a poem written by Agobard concerning the translation of certain relics of St. Cyprian from Tunis to Lyon. These relics arrived in Lyon in the year 807 and in the poem written to celebrate the event Agobard refers to himself as "pontiff" and thus must have achieved episcopal status before 807 and probably in 804.⁹

More probable, however, is the view advanced by both Cabaniss and Chevallard that Agobard was advanced to the

⁸ James Allen Cabaniss, Agobard of Lyon, Churchman and Critic (Syracuse, 1953), p. 4.

⁹ Bressolles, p. 58. The poem De translatione reliquiarum sanctorum may be found in Migne, PL, vol. CIV, cols. 349-352.

rank of chorepiscopus in 804.¹⁰ That rank would entitle him to full episcopal honors, explaining the use of the title "pontiff" in the poem, but not to full episcopal powers. The chorepiscopus was the vicar or delegate of the regular bishop. He was entitled to consecrate churches and altars, ordain priests and deacons, and even participate in synods. He was, however, subject to the will of the bishop whose authority he represented. A chorepiscopus could be appointed for a number of reasons such as the size of the diocese and the feebleness of the ordinary bishop, his illness or prolonged absence.¹¹ Lyon was a large district and Bishop Leidrad was advanced in years.

Leidrad himself was a remarkable individual and Agobard no doubt was influenced by the activity and industry of his probable mentor. Leidrad had been a devoted servant of Charlemagne, serving as court librarian and missus before his appointment in 789 as bishop of Lyon. Upon his appointment Leidrad was entrusted with the mission of going to

¹⁰ Cabaniss, p. 16 and Abbe P. Chevallard, L'Église et l'état en France au neuvieme siècle: Saint Agobard, Archevêque de Lyon, sa vie et ses écrits (Lyon, 1869), p. 5.

¹¹ Dom Jacques Leclef, "Chorêveque," in Dictionnaire de droit canonique (Paris, 1942), R. Naz, ed., vol. III, cols. 689-694.

Spain to fight the adoptionist heresy and to bring the chief proponent of that heresy, Bishop Felix of Urgel, to Gaul. The mission was successful and Felix was forced to recant at the Council of Aix-la-Chapelle. When Leidrad returned to Lyon he brought with him the supposedly repentant Felix as his special ward.¹²

He then devoted himself to the task of restoring Lyon to its former grandeur. The city had been sorely damaged by the Saracens in 732 and the property of the church had been greatly depleted by Charles Martel.¹³ None of Leidrad's predecessors had devoted himself to the task of restoration. In a letter written to Charlemagne toward the end of his episcopal career, Leidrad described his accomplishments. Some buildings he rebuilt, others he repaired, and he constructed new ones; vestments necessary for the proper maintenance of the cult were procured; monks, priests and nuns were properly housed and cloistered; a school for chanting and another for reading were established and manuscripts gathered into a library.¹⁴ This final accomplishment is reflected in the works of Agobard, which are filled with

¹² Ado of Vienne, Chronicon; MGH, Scriptores, vol. II, p. 319. Confessio fidei Felicis; Mansi, XIII, col. 1035.

¹³ Alfred Coville, Recherches sur l'histoire de Lyon du V^e au IX^e siècles (Paris, 1928), p. 523.

¹⁴ Epistola ad Carolem Imperatorem, PL, XCIC, cols. 871-875.

Biblical and Patristic allusions and quotations.

In 816 Agobard became bishop in his own right. The Bede notation for that year reads: Isto cathedra potitur mense octavo. According to the chronicle of Ado of Vienne, Agobard's ordination, although performed by three fellow bishops with the approval of the emperor, was not canonical. Leidrad, soon after the death of Charlemagne, retired to the monastery of St. Medard at Soissons and appointed Agobard bishop. Certain people protested that this was in violation of two fundamental laws of the Church. One prevented a living bishop from naming his successor and the other prevented two men from occupying the same see. Apparently a council was held and Agobard retained the see.¹⁵ Unfortunately, we do not know the identity of those who opposed his ordination. It is possible that Agobard as chorepiscopus had taken a strong stand against lay possession of Church land and had gained the animosity of local magnates who held such land.

The next notation is for the year 840. It records the death of Agobard on the sixth of June of that year and the death of Louis two weeks later. It is ironic that the death of a bishop so concerned with imperial unity and order should

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Ado of Vienne, Chronicon, anno 810 (816); MGH, Scriptores, II, p. 320. Also see Cabaniss, pp. 22-24; Chevallard, p. 7; and Bressolles, pp. 56-57.

be followed by the death of the emperor under whose reign so much was done to destroy that unity and order. The final notation informs us of the ordination of Amulo and bemoans the wars fought among the sons of Louis. These notations contain no information concerning the most important and productive years of Agobard's life, the years of his episcopal career. The survival of over twenty works which can be attributed to Agobard more than compensate for this omission.

These works, lost for all practical purposes in the later medieval period, were rediscovered by a most fortunate and dramatic circumstance. In 1605, Papire Masson, while browsing among the book-stalls in Lyon, came across a dealer about to hack an old parchment into pieces in order to make book covers.¹⁶ That parchment is now housed in the Bibliothèque Nationale under the designation 2.853. Written in the middle of the ninth century, it contains twenty-six letters and books. The manuscript does not contain Agobard's Liber contra quatuor libros Amalarii,¹⁷ and one work contained in the manuscript, Liber de imaginibus sanctorum, was not written by Agobard but by Claudius of Turin.¹⁸

¹⁶ Bressolles, p. 30.

¹⁷ Ibid., p. 33.

¹⁸ Dom Paulino Bellet, "El Liber de imaginibus sanctorum bajo el nombre de Agobardo de Lyon obra de Claudio de Turin," Analecta Sacra Tarraconensia (vol. XXVI, 1955), pp. 151-194.

Ironically, Masson's edition was placed on the Index because of this last work, which Cardinal Baronius found iconoclastic.¹⁹

The Masson edition was rather hastily published and contains an unfortunate number of errors. In 1666 Stephen Baluze published his edition of the works of Agobard using the manuscript unearthed by Masson supplemented by a twelfth-century manuscript of the Liber contra quatuor libros Amalarii, now manuscript 618 in the Bibliothèque de Lyon.²⁰ The Baluze edition is superior to that of Masson and is, in fact, the standard edition, reprinted by Migne in the Patrologia Latina.²¹ The letters of Agobard which constitute the bulk of his extant works have been edited by Duemmler for the Monumenta Germaniae Historica.²² A number of other minor works appear in various volumes in that series.²³

¹⁹ For the objections of Cardinal Baronius see Chevallard, p. 410.

²⁰ Bressolles, p. 40.

²¹ PL, vol. CIV, cols. 1-352 contains the Baluze edition. An index to these works may be found in the same volume, cols. 1331-1334.

²² MGH, Epistolae, vol. III, Epistolae Merovingiae et Karolini Aevi (hereafter EPP. III), pp. 150-239.

²³ Agobard, De translatione reliqui Sancti Cyprani; MGH, Poeta Aevi Karoli, vol. III, p. 119.
Chartula Agobardi; MGH, Leges, vol. I, p. 369.
Liber apologeticus pro filii Ludovici Pii; MGH, Scriptores, vol. XV, pp. 274-279.

About the same time Agobard became bishop, he attacked a strange popular delusion in his Liber de grandine et tonitruis.²⁴ Many people of all ages and social classes living in his diocese became convinced that certain men known as tempestarii or storm-makers controlled the weather. These tempestarii were paid by people in a land called Magonia (Minorca?) who sailed in air-borne vessels and descended to the earth in order to gather up the produce felled by the storm. Once he came across an angry mob about to stone to death four wretches who were alleged to have fallen from a Magonian vessel. Several people affirmed that they indeed had witnessed their marvelous fall, but Agobard's persistent questioning revealed them to be lying and thus the four were saved.²⁵ Agobard was particularly concerned with the superstition because people left offerings on the tops of hills in order to prevent the tempestarii from creating storms. Offerings, Agobard maintained, should go to the Church alone. Although he does not say so explicitly, the placing of offerings on hills may have been indicative of a relapse to paganism. Agobard goes on to say that such practices are contrary to the doctrines of the Church. God alone, acting by Himself or through His chosen prophets, has

²⁴ Agobard, Liber de grandine et tonitruis; PL, CIV, cols. 147-148. For the dating of this letter see Cabaniss, p. 21.

²⁵ Liber de grandine et tonitruis, 2-3.

the power to create storms. Those who believe in tempestarii not only reveal their stupidity, but worse, they display a lack of faith in the power of God.²⁶

The superstitions of the people were not the only threat to the authority of the Church with which Agobard was compelled to deal. In Liber adversus dogmam Felicis,²⁷ Agobard states that certain clerics out of simplicity rather than evil were attracted to Felix of Urgel and his adoptionist heresy. Agobard himself had once denounced Felix for his continued advocacy of heretical ideas.²⁸ The supposedly repentant Felix had once recanted, but shortly after his death in 818 Agobard discovered a recently written manuscript which indicated that he had given up none of his ideas.²⁹ Agobard wrote Liber adversus dogmam Felicis to combat those adoptionist ideas which persisted in the Lyonnaise church after the death of Felix. The theology of that work does not concern us. It is possible, however, that Agobard's unfortunate experience with Felix may have influenced his subsequent relations with the Jews. Agobard may have learned

²⁶ Agobard, Liber de grandine et tonitruis, 15.

²⁷ Agobard, Liber adversum dogmam Felicis; PL, CIV, cols. 29-70.

²⁸ Ibid., 5.

²⁹ Ibid., 1.

how difficult it is to force people to change their religious beliefs. In his letters concerning the Jews he disavows forced conversion and, as we shall see, in his vehemently anti-Semitic letters conversion is hardly mentioned at all.

The dogged rationalism Agobard displayed in attacking the belief in the tempestarii is also manifest in two works condemning judicial ordeal and combat. One of these works, Liber contra iudicium Dei, consists largely of Biblical proofs that the partisans of the Lord do not always win their earthly battles.³⁰ Of more importance is the letter Adversus legem Gundobaldi addressed to Louis the Pious.³¹

This letter is essentially a short and well-organized treatise in which Agobard condemns the law of Gundobald which allowed for judicial combat and ordeal and expounds his views concerning the equality of man and the unity of Christendom. Agobard, like most of his Western contemporaries, identified Christendom with the Carolingian Empire.

³⁰ Agobard, Liber de iudicium Dei; PL, CIV, cols. 249-267.

³¹ Agobard, Adversus legem Gundobaldi; PL, CIV, cols. 113-126 and MGH, Epp. III, pp. 159-164. Cabaniss, pp. 36-37 claims that these two works were written in response to the Council of Aix-la-Chapelle which in 818 confirmed the use of ordeal by cross. It should be noted, however, that the emphasis in both works is on judicial combat rather than ordeal by cross or other means.

His ideas concerning equality and unity were neither original nor unique; like most Carolingian writers, he relied heavily on Patristic theory.³²

Agobard is following the Fathers when he writes that all men are spiritually equal.

Rather appropriately, because all men were created brothers, servant and master, poor and rich, unlearned and learned, weak and strong, humble worker and sublime emperor call one God Father. Let no one disdain the other, nor despise himself, nor extol himself above the other. We are all common substance, one body of Christ and one Church. We are following the apostles 'putting off the old man and his ways and putting on the new man who is renewed in the image of Him Who created him in His image, who is neither gentile nor Jew, Barbarian nor Scythian, 'Lombard nor Aquitanian, Burgundian nor Alaman,' slave nor freeman for Christ is all and in all.³³

For a Christian, differences in race and social class are meaningless. There is only one true division which can be made between people.

³² A. J. and R. W. Carlyle, A History of Medieval Political Thought in the West (London and Edinburgh, 1903), vol. I, p. 197.

³³ Adversus legem Gundobaldi, 3. Et quam decenter, quoniam omnes fratres effecti, unum Patrem Deum invocant, servus et dominus, pauper et dives, indoctus et eruditus, infirmus et fortis, humilis operator et sublimis imperator. Jam nemo alium dedignatur, nemo sub alio se despicit, nemo super alium extollitur. Quoniam unus panis, unum corpus Christi, imo unus Christus secundum Apostolum sumus: 'exspoliantes nos veterem hominem cum actibus ejus, et induentes novum, cum qui renovatur in agnitionem secundum imaginem ejus qui creavit eum; ubi non est gentilis et Judaeus, Barbarus et Scythia, 'Aquitanus et Langobardus, Burgundio et Alamannus,' servus et liber; sed omnia et in omnibus Christus.

Here truly should be the difference and boundary between kingdom and kingdom, that is, that of Christ and of the devil, the city of God and the city of the devil which constitute two peoples.³⁴

The personality of the law creates artificial and harmful barriers between Christians. Agobard points to the absurdity of five Christians, all living in the same house, unable to testify on behalf of one another because each belongs to a different law.³⁵ The personality of law conflicts with the principle of Christian unity. Agobard found the Burgundian code particularly objectionable not only because it sanctioned judicial combat but also because it was composed by a heretic, the Arian Gundobald. Agobard complains that this law is used by the strong and powerful to oppress the poor and the weak. He suggests that these outrages against Christian charity could be ended if the emperor were to abolish the Burgundian code and apply the Salic law in its place.³⁶

Judicial combat and ordeal, Agobard claims, are contrary to the will of God. True justice is not based on physical

³⁴Adversus legem Gundobaldi, 6. Hic profecto debet esse discretio inter regnum et regnum, id est, Christi et diaboli, inter civitatem Dei et civitatem diaboli, quae faciunt duas plebes.

³⁵Ibid., 4.

³⁶Ibid., 6.

strength nor divination; the basis for justice is the rational discussion of evidence and observation.

The utility of trials consists in discussion of causes and pursuit of investigation just as Solomon did in the case of two mothers. For it was pleasing that he did not use divination nor astrology in discerning justice but rather knowledge.³⁷

He concludes the letter with the hope that some day all men might live united under one law and one king. This he believes would greatly strengthen "the concord of the city of God and the equity of the people" (concordiam civitatis dei et aequitatem populorum). Such a goal, he sadly admits, may be impossible to achieve.³⁸

Implicit in Adversus legem Gundobaldi is the belief that the laws of the Church are superior to those of the secular world; secular law is valid only when consistent with the laws of the Church. Neither Agobard nor any of his contemporaries made a distinction between church and state. The emperor was within and not outside the Church. The goals of both the empire and the Church were ideally the same. For Agobard the application of Patristic concepts of equality

³⁷ Adversus legem Gundobaldi, 10. Sed utilitas judiciorum constat in discussione causarum et subtilitate investigationum, sicuti et Salomon fecisse legitur in contentione duarum meretricum; cujus et petitio placuit Deo, quia non petevit divitias aut dies multos, sed sapientiam ad discernendum judicium.

³⁸ Ibid.

and unity served to strengthen and unify the Carolingian state.³⁹ In a sense, then, Patristic theory was also political; it provided an ideological justification for the expansion of the empire and the centralized authority of the emperor. In requesting the extension of the Salic Law to the Burgundians he was essentially requesting that a theological position be transformed into a tangible reality. It was one step in building the City of God on earth, that is, Western Christendom, the Carolingian Empire.

The empire was within and not above the Church, and Agobard strongly opposed the usurpation of Church prerogatives by the emperor and secular authorities. In 821 Agobard and Bishop Nibridius of Narbonne participated in the election of a new abbot of Aniane following the death of Benedict. This action was apparently undertaken without imperial consent and Louis wrote a letter to the monks accepting the results of the election but urging them to observe proper humility.⁴⁰ For many years the canons concerning the election of abbots had been ignored and the power to choose abbots had been usurped by local magnates and the court. Agobard's participation in the election without the permission

³⁹ Bressolles, p. 92.

⁴⁰ Ludovicus Pius, Epistola 2; PL, CIV, cols. 1312-1314.

of the emperor was a reaffirmation of the ancient rights of the Church, but it probably alienated many members of the imperial court.⁴¹

He further alienated these people by the strong stand he took concerning the restoration of church property in 822 at the Council of Attigny, the same council at which Louis performed his public penance for the death of Bernard of Italy. Agobard joined with those who demanded full restitution of church lands seized by the Carolingians in order to provide military vassals with fiefs. Large amounts of church lands had been seized by Charles Martel in 732. In 743 Carolman promised that all lands owned by the Church but possessed by laymen and which were not needed for military purposes would be restored to the Church.⁴² Some progress was made but not enough to satisfy Agobard and other prelates who demanded full restoration of these lands. Such demands aroused the ire of magnates who were loath to part with lands they had come to regard as their own.⁴³ Louis does not seem to have been moved by the demands of the bishops

⁴¹ Cabaniss, p. 44 and Chevallard, p. 118.

⁴² Concilium Liptinense, c. 2. Mansi, XII, col. 371. Also see Lynn White, Medieval Technology and Social Change (Oxford, 1962), pp. 4 and 10.

⁴³ Emile Aman, L'Époque carolingienne (L'Histoire de l'église depuis les origines jusque notre jours, vol. VI) (Paris, 1941), p. 251 and Carlo deClerq, La législation religieuse franque de Clovis à Charlemagne (Paris, 1936), pp. 121-123 and 203.

at the Council of Attigny, and Agobard states in his letter De dispensatione ecclesiasticarum rerum⁴⁴ that the matter was brought up once again at the Council of Compiègne in 825.⁴⁵

The letter was written shortly after that council to an unnamed friend and begins with a complaint that the nobles of Septimania and Provence (clari et honorati viri per Septimanem et Provencem) were speaking against him, claiming that he was responsible for the "unheard of contention and discord concerning ecclesiastical property" (inauditum contentionem et discordiam pro rebus ecclesiasticis). Agobard protests that he could never be the originator of such discord because "timid and unaccustomed" (insuetus et timidus), he "was able to speak only rarely among such illustrious men" (inter tales et tantos raro loqui valeam).⁴⁶

Nevertheless, Agobard did speak out at the Council of Attigny. The venerable and aged Abbot Adalard of Corbie spoke first and was followed by many other prelates who demanded full restoration of church property. Agobard spoke

⁴⁴ Agobard, De dispensatione ecclesiasticarum rerum; PL, CIV, cols. 227-248 and MGH, EPP. III, pp. 158-174.

⁴⁵ De dispensatione ecclesiasticarum rerum, 2.

⁴⁶ Ibid., 1.

"hesitantly" (pedetemptim), the "last and most humble of all" (humillimus omnium et extremus) and declared that it was contrary to the rules of the Church for laymen to use ecclesiastical property for their own profit. Those who did were guilty of sin, since the canons once enjoined were not to be changed except by the will of God acting through his Church.⁴⁷

When the bishops, holy men, in which the Church was so abundant, convene, they set up canons which ought to be observed undiminished, having been confirmed by the spirit of God and by universal consent, consonant and harmonious with the principles of Scriptures. And from the time these canons are accepted to go against them is to go against God and His universal Church ...so that such statutes are violated only with peril to the soul.⁴⁸

De dispensatione concludes with a sharp attack on bishops and priests who misuse Church property to satisfy their own greedy desires for pomp and luxury. The proper use of Church property is the maintenance of the cult and the care of the sick, the poor, and the helpless.⁴⁹

⁴⁷ De dispensatione ecclesiasticarum rerum, 3-4.

⁴⁸ Ibid., 4. Convenerunt episcopi, viri sancti, quibus tunc ecclesia abundabat. Statuerunt illibatos conservari debere sacros canones, qui firmati sunt Spiritu Dei, consensu totius mundi, obedientia principum, consonantia Scripturarum. Ex quo tempore acceptum et receptum est non aliud esse agere cuiquam adversus canones quam adversus Deum, et adversu ejus universalem Ecclesiam...ut talia statuta absque periculo religionis violantur.

⁴⁹ Ibid., 31.

Agobard's vigorous defense of the prerogatives of the Church is manifest in his justifications for the support he gave the sons of Louis in their second revolt against their father. Agobard, it should be noted, did not participate in the first revolt and for his loyalty Louis rewarded him with the abbey of St. Medard.⁵⁰ The loyalty he displayed in 830 is baffling since the animosities which produced that revolt were identical with those which produced the second revolt. His loyalty in 829 was probably based on circumstances concerning which no records are extant.

The dispute between Louis and his sons, Lothar, Pepin, and Louis centered on the Divisio imperii among his sons. Louis was to receive Bavaria; Pepin, already king of Aquitania, would receive Gascony, Toulouse, and some lands in north-west Gaul; and Lothar, the oldest son, would receive the remaining land and be named heir to the empire.⁵¹ In 823 Lothar was in fact crowned co-emperor by the Pope. That same year, however, Louis' second wife, Judith, gave birth to a son, Charles.⁵² Judith was determined to secure

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Flodoard, Historia ecclesiae Remensis, III, 1; PL, CXXXV, col. 139. Also see Cabaniss, p. 80.

51 Divisio imperii (Charta divisionis imperii); Mansi, XVIIb, cols. 573-598.

52

Astonomus, Vita Ludovici Pii; PL, CIV, col. 952. Also see Louis Halphen, Charlemagne et l'empire carolingien (Paris, 1947), p. 259.

a position for her son and, needless to say, her efforts were opposed by the three grown sons of Louis. In 829 Judith succeeded in persuading her husband to set aside the Divisio imperii and grant lands previously granted to Louis and Pepin to the young Charles. Lothar's name was deleted from the imperial acta and he was sent to Italy as a mere king. Louis appointed Bernard, a favorite of Judith, to the office of chamberlain and apparently dismissed a number of clerical advisors associated with Lothar. Not surprisingly, Pepin, Louis, and Lothar were soon in revolt against their father. The rebels met with initial success but, unable to deal decisively with the emperor, lost ground. By 831 Louis was once again in control.⁵³

In 832 Louis was compelled to go to war against his son, Louis "the German." Pepin and Lothar supported their brother. Lothar's name was again deleted from the imperial acta and the King of Italy returned to Gaul with an army and bringing with him a valuable ally, Pope Gregory IV.⁵⁴ This time Agobard supported the rebels and participated in the deposition of Louis the Pious.⁵⁵ Upon his return to

⁵³ Vita Ludovici Pii; PL, CIV, cols. 958-959. For a good, basic account of these revolts see Halphen, pp. 268-289.

⁵⁴ Vita Ludovici Pii; PL, CIV, col. 962. Epistola Gregorii Papae ad episcopos regni Francorum; PL, CIV. cols. 297-308.

⁵⁵ Agobardi chartula ad Lotharium Augustum; PL, CIV, cols. 319-323 and MGH, Leges, I, p. 369.

power Louis summoned Agobard to the imperial palace. The bishop refused to appear and was deposed from his see. He fled to Lothar in Italy.⁵⁶ Eventually he was forgiven and allowed to return to his see in Lyon.⁵⁷

During the second rebellion, Agobard wrote three works supporting the rebels. These are two letters, Flebilis epistola⁵⁸ and De comparatione regiminis ecclesiastici et politici,⁵⁹ both written to Louis the Pious, and Liber apologeticus pro filiis Ludovici Pii.⁶⁰ All three works refer to Louis as emperor and were therefore written before his actual deposition.

Liber apologeticus is essentially an attack on the Empress Judith. Agobard accuses her of lust and adultery, claiming that she had an illicit love affair with Bernard, and of having brought confusion to the empire.⁶¹ It is possible that Agobard was attempting to put the legitimacy of Charles in doubt. The sons of Louis rebelled in order to

⁵⁶ Vita Ludovici Pii, PL, CIV, col. 968.

⁵⁷ See note by Stephen Baluze, PL, CIV, col. 32 below.

⁵⁸ Agobard, Flebilis epistola de divisione; PL, CIV, cols. 287-293 and MGH, Epp. III, pp. 323-326.

⁵⁹ Agobard, De comparatione regiminis ecclesiastici et politici; PL, CIV, cols. 291-298.

⁶⁰ Ibid., 2.

wipe away the shame and blemish created by their sinful stepmother, the new "Jezebel."⁶¹

Flebilis epistola was written to protest the deletion of Lothar's name from the imperial acta. Agobard warns Louis that his soul is in danger and that it is the bishop's duty as a priest to care for the souls of all men including the emperor.⁶² Louis' soul is in danger because of his violation of the Divisio imperii, which was sanctioned by the Church.

You designated parts of your kingdom to certain sons, but so that the kingdom might remain one and not three you elevated one of your sons whom you made partner in your name. You ordered a deed to be written, signed, and confirmed. You sent him to Rome to be made partner in your name by the highest pontiff and you ordered all to swear that they would follow only that election and division.⁶³

That which has been confirmed and approved by God through His Church cannot be disregarded or altered without the

⁶¹ De comparatione regiminis ecclesiastici et politici, 31.

⁶² Flebilis epistola, 1.

⁶³ Ibid., 4. Ceteris filiis vestris designatis partes regni vestri; sed ut unum regnum esset, non tria, pretulitis eum illis quem participem nominis vestri fecistis; ac deinde gesta scribere mandastis, scripta signare, et roborare, et consortem nominis vestri factum, Romam misistis a summo pontifice gesta vestra probanda et firmanda; ac deinde jurare omnes iussistis ut talem electionem et divisionem cuncti sequerentur ac servarent.

permission of God acting through His Church. God, Agobard goes on to say, "is to be followed and not to be lead" (sequendus est Deus, non precendus).⁶⁴ He warns Louis lest God be compelled to grieve of having set him up as He once grieved of Saul.⁶⁵

De comparatione regiminis is a defense of Pope Gregory's intervention. Agobard argues that the religious order is higher than the secular or political order since armies invoke the aid of God before going into battle.⁶⁶ Quoting Pope Pelagius, Agobard states that it is the duty of the pope to prevent disputes and dissension from arising among Christians. It is therefore entirely proper for the Pope to intervene in the dispute between Louis and his sons.⁶⁷

Agobard's justification for his support of the sons was based on his concept of the rights of the Church; that which the Church has approved cannot be changed or abolished without the permission of the Church. From Agobard's perspective, it was Louis who was the true rebel because he had set aside the divinely sanctioned Divisio imperii. Agobard's

⁶⁴ Idem.

⁶⁵ Idem.

⁶⁶ De comparatione regiminis, 1.

⁶⁷ Ibid., 2-4.

attack on Louis is not indicative of any conscious conflict between Church and State. Indeed, Agobard could not conceive of any division between Church and empire. The empire was within the Church and was legitimate only insofar as it adhered to the laws and principles of the Church.

CHAPTER III

AGOBARD AND THE JEWS

In the year 823 Agobard wrote Consulatio ad proceres palatii,¹ the first of five letters concerning the Jews,² to three court officials, Wala, Adalard, and Helischar. The letter is essentially a request for imperial permission to baptize pagan slaves owned by Jews. It is not surprising that Agobard consulted these three officials; all were clerics and all had supported the restoration of all church

¹ Agobard, Consulatio ad proceres palatii, also known as De baptismo Judaeorum mancipiorum; PL, CIV, cols. 99-106 and MGH, Epp. III, pp. 164-166. Bressolles, p. 105, Cabaniss, p. 57 and Simson, Jahrbücher des Fränkischen Reichs unter Ludwig der Frommen, Vol. I (Leipzig, 1874), pp. 393-394, believe the letter was written in 823. For additional information on the dating of all five letters, consult the appendix.

² Bernard Blumenkranz, "Deux compilations canoniques de Florus de Lyon et l'action antijuive d'Agobard," Revue historique de droit français et étranger, 4th ser., vol. XXXI (1955), pp. 227-254 and 560-562 claims that a sixth letter, Ex epistola episcopi ad imperatorem de baptizatis Hebraeis, was written by Agobard. Cabaniss, Chevellard, and Bressolles make no mention of this document. Baron, p. 342, doubts that Agobard wrote this letter, but expresses no reasons for his doubt. De baptizatis Hebraeis deals with the forced conversion of fifty Jewish children. The author(s) complain that the Jews, in order to prevent additional baptisms, sent their children to Arles and Narbonne, and he asks the emperor to prevent Jews from hiding their children. In De cavenda et convictu Judaeorum, Agobard states that in spite of the kindness and humanity he displayed towards the Jews, he was unable to convert a single Jew. Agobard, as we shall see, seems to have repudiated forceful attempts at conversion. In his anti-Semitic letters Agobard urges measures be taken to prevent the Jewish contamination of

property.³ The lay courtiers, who had been angered by Agobard's uncompromising stand on church property, were strong supporters of the Jews and Jewish merchants in particular.⁴

In his letter Agobard reminds the recipients of his recent meeting with them. The three clerics apparently did not agree with his position on pagan slaves owned by Jews; however, they did secure for him an audience with Louis.

After I had been heard by you and each modified what the other had said you arose and I after you. You entered into the sight of the prince and I stood in the ante-chamber. After a while you indicated that I should enter. But I heard nothing except permission to leave. What you said to the emperor prefacing the matter and what he accepted or how he responded I did not hear.⁵

Christians and places very little emphasis on the conversion of Jews. The letter in question may be found appended to the letters of Agobard in the MGH and in the works of Deacon Florus of Lyon, PL, CXIX, col. 422.

³ Agobard praises Adalard and Helischar for their stand on the matter in De dispensatione, 3 and 4. For Wala's stand, see Bressolles, p. 105.

⁴ Cabaniss, p. 46. Théodore Rheinach, "Agobard et les Juifs," Revue études juives, vol. L (1905), p. xcix, claims that Judith was the central figure in the pro-Jewish clique in the imperial court.

⁵ Consulatio ad procures palatii. Cumque audita fuisset a vobis et modificata quae dicebantur altrinsecus, surrexistis, et ego post vos. Vos ingressi estis in conspectu principis; ego steti ante ostium. Post paululum fecistis ut ingrederer. Sed nihil audivi nisi absolutionem discedendi. Quid tamen vos dixeritis clementissimo principi prefata de causa, qualiterque acceperit, quidve reponderit, non audivi.

Humiliated and too ashamed to face the three officials, Agobard returned to Lyon, where he wrote the letter.⁶

The emperor's behavior is not surprising. He did not wish to listen to a troublesome bishop who had supervised without imperial permission the election of the abbot of Aniane and who more recently attacked lay possession of church lands. Agobard writes that he came to speak against those "who supported the complaints of the Jews" (qui querelas Judaeorum astruebant).⁷ Louis had granted certain Jews privileges which violated the principles of the Church and he may have feared that Agobard planned to attack his integrity.

The Jews had apparently complained against Agobard's attempt to baptize and redeem their pagan slaves. As we shall see, two of the charters Louis granted Jews give the recipients the right to refuse to allow the baptism of pagan slaves. The Jews, in accordance with these charters, resisted Agobard's attempt to baptize and redeem these slaves, and the bishop was compelled to seek imperial sanction for his missionary activity.

⁶ Idem.

⁷ Idem.

First, I think it is necessary for me and I think all to know...what is to be done concerning pagan slaves owned by Jews who sustained and nourished by them talk our language among us. They hear of the faith and see the solemn celebrations and by them are struck with a love for Christianity... so that they flee to a church asking to be baptized. Are we to grant or refuse them this?⁸

For a devout orthodox Christian there could be only one answer. Agobard goes on to say that the God who created all men owns a greater share of a man "than he who paid twenty or thirty solidi so that he may use the service of his body" (quam illum qui viginti aut treginta solidos datis, fruatur corporis ejus servitio).⁹ Carnal masters have no rights over the immortal souls of their slaves.

On account of this all the teachers, companions of the apostles, teaching and baptizing all men, did not await permission of the carnal masters that they might baptize slaves as if it were not proper for them to be baptized unless permitted. Knowing and teaching that both slave and master have one Lord God in heaven they baptized all and

⁸ Idem. Primum, quod sumnopere mihi necesse est scire, et, ut existimo, etiam omnibus ... quid faciendum sit de mancipiis Judaeorum ethnicis, quae illi comparaverunt, et nutriti apud illos inter nos discunt linguam nostram. Audiunt de fide, vident celebrationes solemnitatum; et per haec compunguntur ad amorem Christianitatis ...; et confugiunt ad ecclesiam, baptismum postulantes: utrum videlicet debeamus illis hoc abnegare, an prebare, ubi possumus?

⁹ Idem.

gathered all into one body, teaching all were brothers and sons of God, although nevertheless into whatever rank one was called one must remain not out of desire but necessity...¹⁰

These ideas are hardly unique and Agobard is merely repeating Patristic theory.¹¹

Agobard, however, did understand the baptism of pagan slaves also in terms of the expansion of the Carolingian Empire. Since there was in theory no significant division between the Church and the empire to baptize a slave was not merely to make a Christian of him, but also a citizen of the state. The refusal to allow the baptism of pagan slaves is inconsistent with self-expanding and missionary goals of the empire:

...when the religious emperor took arms against those who were strangers to the name of Christ and was victorious, he subjugated them to Christ and civilized them by religion it was an act of piety and worthy of praise. In what way is baptism to be denied to such who exist among your subjects and desire it?¹²

¹⁰ Idem. Propter quod omnes sancti praedictores, socii apostolorum, docentes omnes gentes et baptizantes, non expectaverunt dominorum carnalium licentiam, ut servos baptizarent, quasi non eos oporteret baptizari, nisi eis permittentibus; sed scientes et praedicantes quod servi et domini habeant unum Dominum Deum in coelis, omnes baptizaverunt, omnes in corpore redegerunt, omnesque fratres et filios Dei esse docuerunt; ita tamen ut unusquisque vocatus est, in hoc permaneret, non studio, sed necessitate....

¹¹ Carlyle, pp. 204-205.

¹² Consulatio ad procures palatii: ...si religiosus imperator adversus gentes quae a Christi nomine alienae sunt arma

The baptism of pagans within the empire was a logical extension of the expansionism of the Carolingians.

Agobard, it should be noted, is referring to the baptism of pagan slaves, not Jews. He goes on to say that he does not want to cause economic harm to the Jews.

We do not say this so that the Jews might lose prices they receive in such matters, but when we offer prices according to earlier statute, they do not accept. Thinking the magistracy of the palace to favor them they assert they want prices better than those mentioned above....¹³

Blumenkranz claims that Agobard is suggesting nothing short of the economic ruin of slave-holding Jews; Christians would be able to purchase baptized slaves from Jews for twelve solidi, the price decreed by the Council of Macon in 583.¹⁴ Although Agobard did include that particular canon in his letter, De Judaicis Superstitionibus, he is not necessarily referring to it in this letter. He is requesting the enforcement of the earlier canon which decreed that a Christian

movet et victor effectus, subjicit eos Christos et sociat religioni, opus est pietatis et laude dignum; quomodo negligendum est, si inter subjectos tales existant qui desiderunt baptismum?

¹³ Idem. Neque hoc dicimus, ut Judaei perdant pretia quae in talibus dederunt; sed qui offerimus pretia secundum statuta priorum; et illi non recipiunt, putantes sibi favere magistratus palatii et melius illis cupere, quam ceteris qui superdicta aserunt.

¹⁴ Blumenkranz, p. 193.

slave could be redeemed from his Jewish master by any other Christian willing to pay an unspecified "just price."¹⁵ Agobard has just stated that he considers twenty to thrity solidi the usual price for a slave, and it is unlikely that he would have mentioned this price if he were in fact demanding that the redemption price of twelve solidi be enforced.

Agobard's position is rather moderate. He is merely requesting that his right to baptize any who sought the sacrament not be denied, and that the king exert his authority so that the Jews accept the redemption prices offered by Christians in exchange for baptized slaves. These slaves with whom Agobard was concerned were probably not commercial slaves, but domestic or agricultural slaves. "Sustained and nourished among the Jews," they had resided in Gaul long enough to learn the language and become acquainted with Christianity. The slaves Agobard sought to convert and redeem were not wretches recently imported for sale in Frankland or export, but rather slaves possessed by Jews for their own use.

Most of these slaves were used in agriculture. Some of the Jews who were involved in agriculture in Southern Gaul produced a large enough surplus for local sale.¹⁶ The market

¹⁵ Bressolles, p. 104.

¹⁶ For additional information on Jewish possession of land and agriculture, see Blumenkranz, pp. 22-33; Katz, pp. 94-96; Roth, pp. 30-34.

day in Lyon was changed from Saturday for the sake of local Jewish merchants,¹⁷ and it seems probable therefore that these merchants were not selling merely small quantities of wine and meat rendered ritually unfit for Jewish consumption to the Christians. Jewish agricultural production depended, of course, on Jewish possession of land, and there is no doubt that Jews of ninth-century Gaul owned land. In 768 Pope Stephen III complained to the bishop of Narbonne that the Jews of that city had extensive allods, owned Christian slaves, and employed other Christians to till the soil.¹⁸ In 839 Louis renewed a charter which granted three Jews hereditary possession of land in Septimania.¹⁹ Three other charters granted to Jews do not explicitly mention Jewish possession of land, but they do allow Jews to possess non-Christian slaves and to employ Christian laborers except on Sundays and holidays.

It is probable that only a small minority of Jews possessed extensive holdings and owned many slaves, but they were an influential group identical with or closely related

¹⁷ Agobard, *De insolentia Judaeorum*, 5. PL, CIV, cols. 69-76 and MGH, EPP. III, pp. 182-185.

¹⁸ Claude de Vic and Joseph Vaisette, *Histoire générale de Languedoc* (Paris, 1730), vol. I, preuves, p. 75, no. 54.

¹⁹ *Formulae imperiales* 30, 31, and 52. MGH, Legum sect. V, *Formulae Merovingiae et Karolini Aevi*, pp. 309, 310, and 325.

to the Jewish merchants who supplied the court with Levantine luxuries. The strong support Louis gave the Jews of Lyon seems to indicate that he regarded them not merely as humble farmers, but as valuable friends. Agriculture and trade were not incompatible. A responsum of the late tenth century discusses viticulture in terms of a business investment.²⁰ Jewish merchants may have purchased allods for purposes of exploitation and to provide their families with greater economic security. When they travelled, these merchants entrusted their local affairs to partners, sons, or wives²¹ and could do the same in the case of their estates.

In Consulatio ad procures palatii, Agobard makes no mention of Jewish employment of Christians. He is concerned with Jewish possession of Christian slaves because the Jews refuse to allow newly baptized slaves to be redeemed. His major concern is that pagan slaves owned by Jews not be denied the right to be baptized and redeemed. Jewish law required that pagan slaves undergo an ablution shortly after purchase and that male slaves be circumcized within twelve

²⁰ Responsum of R. Joseph ben Samuel Tob-Elem (960-1030); Agus, pp. 438-446.

²¹ Responsum of R. Kalonymus of Lucca (c. 880-960), to R. Moses of Arles; Agus, p. 256.

months of purchase. The touch of an impure slave rendered food unfit for consumption, and the possession of such a slave was an inconvenience.²² Properly speaking, such slaves were not converts to Judaism, although they were enjoined to obey all the negative commandments of the Bible.²³ It is doubtful if Agobard, and perhaps even many Jews, understood the distinction between a pure slave and one who actually converted. Unless these pagan slaves could be baptized and redeemed, Agobard feared, they would be lost forever to Jewish faithlessness.

It would be wrong, however, to interpret Consulatio ad procures palatii as an anti-Semitic document. Agobard is upset with the Jewish resistance to his attempt to baptize their slaves, but he refrains from blaming this resistance on any innate or particularly perverse characteristics of the Jews. Instead, he blames a single person, the Magister Judaeorum.

This [an imperial edict] would not be necessary if he who is the Magister Judaeorum did that which you ordered. For if following faithfully your orders he considered our office as we show honor to his there would be no need for making

²² Babylonian Talmud, Yebamoth 45a-46a and 48b-49a.

²³

A proselyte to Judaism was required to receive special instructions emphasizing the hardships of Jewish life and to take special oaths in addition to undergoing circumcision or, in the case of a woman, a ritual bath. Babylonian Talmud, Yebamoth 47a-47b.

injury by making argument except for the strengthening of doctrine. There should be no discord or contention in other matters concerning the Jews if he were to wish to act reasonably.²⁴

Agobard makes references to the Magister Judaeorum in three other letters. In one he states that the Magister has threatened to call missi from the palace that they might try him for his continued attempts to baptize slaves owned by Jews.²⁵ He complains that a certain "Evrardus..who is now Magister of the impious Jews" (Evrardus...qui Judaeorum nunc magister est) did great harm to the Christian religion.²⁶ This same Evrardus informed him earlier of the king's displeasure with his policy.

The Jews coming first gave me a notice
in your name and another written to the
viscount of Lyon ordering him to support

²⁴ Consulatio ad procures palatii. Quod utique necesse non esset, si ille qui magister Judaeorum est, ita attenderet ut vos ei faciendum dixistis. Nam si secundum vestram jussionem ille consideraret fideliter ministerium nostrum, sicut nos ei honorem exhibere volumus in ministerio suo, nulla esset necessitas injuriam facere interrogando, nisi propter augmentum doctrinae. Ceterum de causis Judaeorum non esset ulla contentio aut discordia, si ille rationabiliter agere voluisset.

²⁵ Agobard, Contra preceptum impium, also known as Epistola ad procures palatii; PL, CIV, cols. 173-178 and MGH, Epp. III, pp. 179-182.

²⁶ Agobard, De cavenda convictu et societate Judaica; PL, CIV, cols. 107-114 and MGH, Epp., III, pp. 199-201.

the Jews against me After them came Evrardus bearing the same and saying that your majesty was greatly moved against me on account of the Jews. Finally the above-mentioned missi came....²⁷

Agobard is the only Carolingian writer to mention the office of Magister Judaeorum and he gives us little information concerning its nature.²⁸ Aronius and Swarzfuchs have suggested that the Magister Judaeorum was analagous to the Magister Negotiarum granted merchants in 828. If this were so, the duties of the Magister Judaeorum were to supervise the affairs of Jewish merchants, to insure the payment of their taxes, and to settle disputes which arose among them.²⁹ Gaillard, following Beugenot, maintains that the Magister was really a judge who settled disputes between Jewish and Christian merchants.³⁰ There is, however, a document extant which asserts that the Magister Negotiarum supervised the

²⁷ Agobard, De insolentia Judaeorum, 2; PL, CIV, cols. 69-76 and MGH, EPP. III, pp. 182-185. Venientes itaque primum Judaei, dederunt mihi indiculum ex nomine vestro, et alterum ei qui pagum Lugdunensem vice comitis regit, praecipientem illi ut auxillium ferret Judaeis adversum me... Post eos Evrardus, eadem iterans, et dicens majestatem vestram commotam esse valde adversum me propter Judaeos. Deinde venerunt et praedicti missi....

²⁸ Blumenkranz, p. 40.

²⁹ J. Aronius, Regesten zur Geschichte der Juden im fränkischen und deutschen Reiches bis zum Jahre 1273 (Berlin, 1962), p. 40. Swarzfuchs in Roth, p. 127.

³⁰ Gaillard, p. 11.

warehouses of both Christian and Jewish merchants.³¹ This suggests that there was no special Magister for Jewish merchants but one Magister Negotiarum, who looked after the interests of merchants of all religions. There are no references to any sort of Magister in the charters granted by Louis to Jews, another indication that the Magister Negotiarum was concerned with the affairs of both Jewish and Christian merchants.

Blumenkranz, however, proposes that the Magister Judaeorum was a special officer appointed by the king to insure that none of the charter privileges granted Jews was violated. He himself had little real power but could, if the need arose, summon missi from the palace.³² Dubonov suggests that the Magister was appointed to insure that the personal and communal rights of the Jews were in no way diminished.³³ Cabaniss and Bressolles both assume that the Magister was an imperial official.³⁴

All the historians mentioned in the two preceding paragraphs have assumed that the office of Magister Judaeorum

³¹ Capitulare de discipline palatii, c. 2; PL, XCVII, col. 33 and MGH, Leges, I, p. 158.

³² Blumenkranz, pp. 40-41.

³³ Dubonov, p. 540.

³⁴ Bressolles, p. 114 and Cabaniss, p. 64.

was filled by a man named Evrardus who was a Christian official appointed by the emperor. Enge, however, has pointed out that Evrardus was not necessarily the Magister, and Agobard called him such merely as an insult. Evrardus was, in fact, one of three missi sent to Lyon to support the Jews in their struggle against Agobard.³⁵ Agobard himself wrote to Louis that "Gerricus and Fredericus, whom Evrardus preceded, your missi (Gerricus et Fredericus, quos praecurrit Evrardus, missi quidem vestri) did great harm to Christianity."³⁶ The Magister Judaeorum to whom Agobard refers in Consulatio ad procures palatii and Contra preceptum impium was, according to Enge, the head of the autonomous Jewish community of Lyon. Later German documents, it should be noted, often refer to the head of the Jewish community as Magister Judaeorum.³⁷

Enge's opinion is probably correct. Agobard's statement that if the Magister showed him due respect there should be no need for "making injury by argument except for the strengthening of doctrine" makes little sense if one assumes

35

Robert Enge, De Agobardi cum Judaeis contentione (Leipzig, 1888), pp. 26-27.

36

De insolentia Judaeorum, 2.

37

Kisch, p. 348.

the Magister were a Christian imperial official. If the Magister were a Jew, the meaning becomes clear. Agobard is referring to debates between himself and the Magister. Public debates between learned Christians and Jews were common throughout the medieval period and the Church believed that such debates were not only useful in converting Jews, but were also a means of reaffirming, sharpening, and strengthening one's awareness of the Christian faith.³⁸

Agobard's accusation that the Magister disobeyed imperial orders does not mean the Magister was an imperial officer. Agobard claims that the Magister disobeys imperial orders by not showing proper respect to the bishop. It is possible that these orders were embodied in a charter granted to the community of Jews in Lyon which sanctioned the office of Magister, gave him specific powers and specific limitations, and may have delineated the relations of the Magister with the bishop. Agobard, in Contra preceptum impium, protests a charter granted all the Jews of Lyon rather than charters granted specific Jewish individuals.³⁹ Agobard

³⁸ Blumenkranz, pp. 68-75.

³⁹ For this reason the charter which Agobard denounces cannot be identical with any of the charters extant. Nevertheless, it is probable that the lost charter contained provisions very similar to those extant. See Kisch, pp. 425-426.

apparently accepted the legitimacy of the office of Magister, but vehemently denied the right of the Magister or any other person to prevent the baptism of those who desired it. In Consulatio ad procures palatii Agobard's major complaint is against the Magister who urged Jews to resist Agobard's attempt to baptize and redeem pagan slaves. As we shall see, the emperor himself granted Jews the right to prevent the baptism of pagan slaves. The bishop regarded the position of the Magister and the king as an usurpation of the rights of the Church; it was up to the Church and not the head of the Jewish community or even the emperor to decide who could become a Christian.

At the time he wrote Consulatio ad procures palatii Agobard seems to have hoped that he would succeed in converting the Jews.

If we deny baptism to the Jews or their
servants seeking it, I fear divine damnation.
If damned, I fear harm to man....⁴⁰

It is probable that he hoped the conversion of the Jews could be by means of peaceful persuasion. During this period he may have learned Hebrew and gained information concerning

⁴⁰ Consulatio ad procures palatii. Si enim petitionibus baptismum Judaeis aut servis eorum negamus, timeo damnationem divinam; si damus, timeo offensionem humanam....

Jewish beliefs and practices. In his first anti-Semitic letter, De cavenda et convictu et societate Judaica, Agobard complains that the Jews refused to convert in spite of the "great humanity and kindness" (humanitas tanta et benignita) he displayed toward them.

In 826 Agobard wrote Contra preceptum impium to two clerics at the imperial court, Wala, now abbot of Corbie, and Helischar, the imperial chaplain. The immediate cause of this letter was a charter displayed by the Jews which justified their alleged persecution of a woman who converted to Christianity.

I wrote you a brief letter telling you of a certain woman converted to Christianity from Judaism by Grace of Christ and who underwent grave persecutions on account of accepting Christ, which you were able to know by means of the letter written by the woman herself...., Now however I wish for you to know the cause of this persecution which is able to be a tinder of impious error. The Jews carry about a certain charter which they boast to be given them by the emperor in which it is contained that no one must baptize a slave of a Jew without the consent of the master.⁴¹

⁴¹ Contra preceptum impium. Scripsi sinceritati vestri singulos breves indiculos, significans vobis quamdam feminam ex Judaismo ad Christianismum gratia Christi translata, graves persecutiones sustinere propter fidem quam suscepit Christi, quas per ipsius feminae breviculum potestis cognoscere.... Nunc autem causum hujus persecutionis, quae et fomes impii erroris esse potest, me vobis significante cognoscere dignamini. Quoddam preceptum Judaei circumferunt, quod sibi datum ab imperatore gloriantur, in quo continetur ut mancipium Judaicum absque voluntate domine sui nemo baptizet. .

The woman convert poses a problem. In De cavenda Agobard states he was unable to convert a single Jew. Lukyn

As a result of the dispute created by the conversion of the woman, relations between the bishop and the Magister worsened.

If we observe the charter, neglecting the rules of the Church, we offend God. If we obey God, we fear the indignation of the emperor since the Magister of the impious Jews constantly threatens us that missi are about to be summoned from the palace that they may try and distrain us.⁴²

The dispute between Agobard and the Magister in 826 may have centered on the controversy of the converted Jewess, but Agobard not only sought to protect this woman but also continued to baptize and redeem slaves owned by Jews in spite of the imperial chapter. Agobard was, however, tactful enough not to discuss this aspect of his policy in a letter to people at the imperial court.

Williams, Adversus Judaeos, A Bird's-Eye View of A Christian Apologiae until the Renaissance (Cambridge, 1935), p. 320, claims that the woman was not a Jewess but a pagan slave owned by a Jew. Cabaniss, p. 64, asserts the woman was a Jewish slave owned by a Jew. Blumenkranz, p. 143, claims the woman was not a slave since she was apparently literate. Since Agobard goes on to discuss a charter which forbids the baptism of slaves owned by Jews without the master's consent, it is very probable that the woman was an enslaved Jewess who hoped to regain freedom by means of conversion. Agobard may have considered the conversion of one woman as too insignificant to mention in his letter De cavenda.

42

Si enim preceptum observamus, neglectis ecclesiasticis regulis, Deum offendimus; si has sequimur, imperatoris indignationem veremur; maxime cum magister infidelium Judaeorum incessanter nobis comminetur se missos adducturum, qui pro istius modi rebus nos judicent et distringant.

In spite of the tensions between Agobard and the Magister the bishop reveals no vehement hatred of the Jews. Most of Contra preceptum impium is an eloquent defense of his right to baptize all who sought the sacrament.

You know...how from the beginning it was enjoined by the apostles without any discrimination against persons or any restriction according to rank to whom it was said: 'Go teach all men and baptize them in the name of the Father, Son, and Holy Ghost.' And again: 'Go through the whole world and teach the Evangel to all creatures. He who has believed and has been baptized shall be saved.'⁴³

Agobard was probably sincere in maintaining that it was necessary to believe and be baptized. At the conclusion of his letter he apparently repudiates the Visigothic policy of forced baptism and relentless persecution.⁴⁴

We do not say this because we believe their slaves and children should be taken from them violently, but so that right of coming to the faith from infidelity not be denied.⁴⁵

⁴³ Idem. Novit...prudentia vestra, quomodo ab initio sanctis apostolis super hac re ab ipsa veritate preceptum sit, quibus absque ulla discretione personarum, absque ulla exceptione conditionum, generaliter dictum est: 'Euntes docete omnes gentes, baptizantes eos in nomine Patris et Filii et Spiritus Sancti.' Et iterum: 'Euntes in mundum universum, predicate Evangelium omni creaturae. Qui crediderit, et baptizatus fuerit, salvus erit.'

⁴⁴ Bressolles, p. 109.

⁴⁵ Contra preceptum impium. Non hoc dicimus quod eis filios vel servos eorum violenter auferendos esse sentiamus, sed ut venientibus ad fidem ab infidelibus licentia non negetur.

That right was denied by the emperor himself in charters granted Jews. Three such charters are extant and two of these grant the recipients the right to forbid the baptism of their foreign slaves (mancipia peregrina). One of these two charters was granted to "David, Joseph, and their partners, inhabitants of the city of Lyon."⁴⁶

Although the Jewish community of Lyon possessed a collective charter which is no longer extant⁴⁷ forbidding the baptism of slaves without their masters' permission, it was necessary for merchants in particular to possess individual charters which they could carry with them and display to anyone who attempted to violate their rights. It is significant that among those instructed to take notice of these charters are the officials who guarded the borders of the empire.⁴⁸

"Rabbi Domatus and his nephew Samuel" of an unspecified city, but perhaps Lyon, also received a charter granting them the right to prevent the baptism of their pagan slaves.⁴⁹ Samuel and Domatus were apparently granted their charter after complaining to the king.

⁴⁶ Formulae imperiales, 31; MGH, Legum sect. V, Formulae Merovingiae et Karolini Aevi, p. 310.

⁴⁷ See p. 60, below.

⁴⁸ Verlinden, p. 709.

⁴⁹ Formulae imperiales, 30, p. 309.

These same Jews informed us of certain men who contrary to the Christian religion persuade the slaves of the Hebrews under the pretense of the Christian religion to hate their masters and to be baptized...that they may be freed from their masters which the sacred canons in no way decreed but rather decided that those who attempt such a separation are to be cursed. We wish no one of you [the officials and clerics to which the charter is addressed] to presume to do this to the above-mentioned Hebrews and should anyone attempt this let him be handed over to us and he will not be able to get off without danger to himself and his property.⁵⁰

It is possible that Louis is referring to the canon enjoined by the eastern Council of Gangres which decreed that a slave, although baptized, must remain a slave.⁵¹ In theory, however, this law also applies to slaves owned by Jews. Since Jews could not own Christian slaves, such slaves were redeemed by other Christians. A redeemed slave was, nevertheless, still a slave and he remained such unless his new master chose to manumit him. Louis' prohibition against the baptism of pagan slaves without the consent of the Jewish

⁵⁰ *Idem.* Suggesterunt etiam iidem Judei celsitudini nostre de quibusdam hominibus, qui contra christianam religionem suadent mancipia Hebreorum sub autentu christiane religionis contemnere dominos suos et baptisari, vel potius persuadent illis, ut baptisentur, ut a servitio dominorum suorum liberentur; quod nequaquam sacri canones constituunt, immo talia perpetrantes districta anathematis sententia feriendos diiudicant; et ideo volumus, ut neque vos ipsi praedictis Hebreis hoc ulterius facere praesumatis neque iuniores vestros ullis facere permittatis certumque teneatis, quia, quicumque hoc perpetraverit, et ad nos delatum fuerit, quod absque sui periculo et rerum suarum damno evadere non poterit.

master was really an act which secured for these Jews the right to own slaves without interference.

David, Joseph, Rabbi Domatus, and Samuel were merchants and slave-traders closely associated with the imperial court. Both charters state that the recipients are under the protection (sub...defensione) of the emperor. The charter granted David and Joseph enjoins them "to serve...the palace faithfully" (palatii...fideliter deservire). That same injunction is contained in a third charter granted Abraham of Saragossa.⁵² All three charters exempt the Jews from certain tolls and tariffs and order officials not to harass them.

Judith, in particular, seems to have had friendly relations with Jewish merchants and perhaps it was she who persuaded the king to grant Jews uncanonical privileges. One of her duties as queen was to maintain the imperial splendor of the court⁵³ and this function no doubt placed her in contact with Jews. Agobard states that the Jews of Lyon haughtily displayed garments given to their wives by women of the court.⁵⁴ Judith's chaplain and tutor to her son was

⁵² Formulae imperiales, 52; MGH, Formulae, p. 325.

⁵³ Hincmar of Rheims, Ad procures palatii pro institutione Carolmani regis et de ordine palatii, 23; PL, CXXV, cols. 995-1003. Also see Reinach, p. xcix.

⁵⁴ De insolentia Judaeorum, 5.

Walafrid Strabo, an excellent Hebraist.⁵⁵ Strabo's own teacher, Rhabanus Maurus, was also an excellent Hebraist and dedicated his commentary on the Book of Judith to the queen, comparing her favorably to her Jewish namesake.⁵⁶ Jewish merchants were often well-educated and it is possible that the same men who contributed to the luxury of the court also contributed to the knowledge of the court scholars.

The issuing of charters to Jewish merchants allowing them to prevent the baptism of their pagan slaves was clearly in the material interests of Judith and the lay courtiers. In granting Jews protection that they might possess slaves, Louis was presented with a dilemma; he was forced to choose between the material pretensions of his court and religious scruples. He chose the former but did not entirely disregard the latter. He did not allow Jews to own Christian slaves, but rather, allowed them to prevent the baptism of their pagan slaves on the rather flimsy excuse that slaves must not be freed as a condition of baptism and that the Church taught that slaves must obey their masters. In fact, his adherence to these laws of the Church was merely to provide a facade for his policy which violated a fundamental law

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L. I. Newman, Jewish Influences on the Christian Reform Movement (New York, 1925), p. 44.

⁵⁶

Idem, p. 41.

of the Church, the right of all men to be baptized. Agobard saw through this facade and expressed his indignation with this policy which he saw as an imperial usurpation of the privileges of the Church.

Indignation turned to outrage and hatred when in 827, following the warnings of the Magister, the missi attempted to return by means of force baptized and redeemed slaves to their original Jewish owners. The clearest account of this is contained in De insolentia.

Finally the...missi came holding in their hands a capitulary which we in no way thought to exist by your order. This was a cause of great joy to the Jews and sadness to the Christians, not only those who fled and hid or were seized but also those who saw and heard...⁵⁷

To make matters worse, the missi apparently took advantage of Agobard's absence from Lyon.

And I, your unworthy servant, was not in Lyon but far away on account of the monks

⁵⁷ De insolentia, 2. Deinde venerunt...missi, habentes in manibus...capitularia sanctionum, quae non putamus, vestra jussione existere...Hic causis laetificati sunt Judaei ultra modum, et contristati Christiani, non solum illi et qui fugerunt, aut qui absconditi sunt, vel qui districti, sed etceteri qui viderunt, vel audierunt... Cabaniss, pp. 69-70, unaccountably claims that those "who fled, hid, or were seized" refers to Christians victimized by the militant Jewish proselytizers who used force in order to gain converts to Judaism.

of Nantua who labored among themselves with a dispute. Nevertheless, I sent messengers and letters to them that they might order what they wished or what was enjoined them and we would obey. But we were in no way able to come and thus some of our priests whom they threatened by name did not dare show themselves in their presence.⁵⁸

The missi were not content merely with the forceful return of slaves baptized and redeemed in violation of the imperial charters, but also terrorized priests who had participated in such baptisms. Agobard's claim that he was willing to obey the missi is probably untrue. De insolentia Judaeorum was written in 829, a few years after the visit of the missi, and at a time when Louis may have been willing to reconsider his policy; Agobard, therefore, in writing to him did not wish to emphasize the bitterness between them. In De cavenda convictu et societate Judaica, written very shortly after the visit of the missi, Agobard informs Bishop Nibridius that under no circumstances would he yield to the impious demands of the missi so that the law of God "might endure undisturbed in observation" (observatione inconvulsa perduret).

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De insolentia Judaeorum, 3. Et ego quidem indignus servus vester non eram Lugduni; sed aberam longe, causa Nantua-densium monachorum, qui quadam dissimultate inter se laborant. Tamen direxi missos nostros et litterulas ad illos ut praeciperent quicquid vellent, aut eis in junctum esset, et nos obediremus. Sed nihil veniae adepti sumus; ita ut etiam aliqui ex sacerdotibus nostris, quibus nominatim minabantur,

De Cavenda is Agobard's first anti-Semitic letter.

That he wrote such a letter to the bishop of Narbonne is not without importance. Narbonne probably contained the largest Jewish population of any city in the west and was a major Radanite port.⁵⁹ The bishops of that city were traditionally sympathetic to the Jews.⁶⁰ Indeed, by the tenth century Jews were the hereditary managers of the episcopal estates.⁶¹ The support of the bishop of Narbonne in any campaign against the Jews and imperial policy toward them would be of great value, but it seems unlikely that such support was forthcoming. The paternalistic tone of the letter indicates that Agobard believed that the relations between the bishop of Narbonne and the Jews of that city were too friendly for the good of the bishop and the good of the Church.⁶²

Agobard informs Nibridius that he has recently become concerned with the harmful nature of the Jews:

non auderent presentiam suis eis exhibere.

A number of historians believe that Agobard used the monks of Nantua as a pretext to avoid a direct confrontation. See Bressolles, p. 110; Cabaniss, p. 87; Chevallard, p. 97.

⁵⁹ Swarzfuchs, p. 131.

⁶⁰ J. Regne, Etude sur la condition de Juifs de Narbonne du V^e au XIV^e siècle (Narbonne, 1912), pp. 28-30.

⁶¹ Responsum of R. Meshullam ben Kalonymus (910-985); Agus, p. 189.

⁶² Regne, p. 30.

...in the present year while I looked about the parishes of the people given to our care, if anything seemed corrupt, I corrected by reason of truth. I announced to all following the laws of God and the institutes of the canons that true believers should sever all consort with unbelievers, not so much the pagans who hardly dwell among us, but the Jews who in our city and many other nearby cities seem to be diffused.⁶³

It is wrong, he says, for "the sons of light to be blackened by the society of darkness" (filios lucis tenebrarum societate fuscari) and for the Church of Christ" unstained and unblemished for the embrace of heaven" (sine macula et ruga ... amplexibus coelestis) to come in contact with the "repudiated, stained and blemished synagogue" (maculosa, rugosa ac repudita synagoga).

It is truly absurd for the chaste virgin who is to be wed to one man, Christ, to seek out the feasts of harlots and through communion of food and drink not only participate in shameful action, but sustain a danger to the faith. Some of the Christian flock on account of assiduous cohabitation

⁶³ De cavenda convictu et societate Judaica ...anno presenti, dum parochiae nostrae populos debita sollicitudine circumirem, et si qua in has depravata videbantur, ... veritatis ratione corrigerem, denuntiasset omnibus et praecipisse secundum legem Dei et sanctorum canonum instituta, ut se, tanquam veri cultores Christianae fidei, omnia observantia ab infidelium consortio segregarent; non utique gentilium qui inter nos minime commorantur, sed Judaeorum, aui in nostra hac et in nonnullis aliis vicinis urbibus videntur esse diffusi.

and familiarity even honor the Sabbath with the Jews, violate the Lord's Day with illicit labor and transgress the prescribed fasts.⁶⁴

It is unclear whether these Christians merely observed the Sabbath the same day as the Jews or if they actually attended the synagogue with the Jews. In another letter Agobard condemns impudent Christians who go to the synagogue in order to hear the sermons of the rabbi which they consider better than those preached by their own priests.⁶⁵ Agobard does not seem to claim that such people are converts to Judaism, but rather that they accept and participate in specific Jewish practices.

Other Christians are forced to compromise their own religion on account of Jewish economic domination.

Many women, day maids and others, are employed by them as workers. Not all are perverted, but all by domination, lust, and deception are in some way prostituted in common by the sons of the devil hiding hatred behind fallacious blandishments. They call themselves the progeny of

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De cavenda convictu et societate Judaica. Et vere absurdum est virginem castam, uni viro Christo desponsatam, meretricis dapes expetere, et per communionem cibi ac potus non solum in diversa flagitia corruere, verum etiam fidei periculum sustinere; dum ex familiaritate nimia et assidua cohabitatione, aliqui de grege Christiano sabbatum quidem cum Judaeis colunt, diem vero Dominicam illicita operatione violant, necnon et jejunia statuta dissolvunt....

⁶⁵

De insolentia Judaeorum, 5.

patriarchs...and the miserable people hear this not knowing that their own prophets were accustomed to call them a nation of sin, a people heavy with iniquity, a worthless seed, polluted children, their father Amorrhoe, their mother Cethee the princess of Sodom and the people of Gomorrah.⁶⁶

To prevent Christians from straying from the faith, Agobard ordered them to sever all ties with the Jews. The God of Israel, he states, forbade the pious to marry or eat with idolaters and following this divine injunction he has ordered Christians not to eat, drink, or associate with Jews:

...lest by pretext of society with them they stray on account of simplicity from the Christian faith. Listening to their stories they become caught in the inextricable snare of their errors.⁶⁷

He goes on to state that although he was unable to convert a single Jew in spite of the kindness he showed toward them,

⁶⁶ De cavenda convictu et societate Judaica. Pleraeque mulierculae, ancillarum jure, alliae ab ipsis velut mercenariae detinentur; nonnullae etiam corrumpuntur; omnes vero hujusmodi vel dominationi, vel libidini, vel deceptioni eorum in commune porstituuntur; adnitentibus in hoc ipsum diaboli filiis, odio subdolo, et fallacibus blandimentis; dum se patriarcharum progeniem...proloquuntur; ignorantibus miseris, qui haec audiunt, quod ipsi eorum prophetae gentem peccatricem, populum gravem iniquitate, semen nequam, filios sceleratos, patrem ipsorum Amorrhaeum, matrem Cetheam, Sodororum principes, et Gomorrhae populum soleant appellare.

⁶⁷ Ibid.; ...ne sub pretextu societatis hujus a simplicitate Christianae fidei exorbitent, Judaicis vero fabulis attendentes, inextricabilibus errorum laqueis implicentur.

that "part of the Christian flock when it joyfully participated in their feasts was captured by their spiritual teachers" (pars aliquis ex nostris dum libenter carnalibus eorum victibus communicat, spiritalibus epulis capiatur). Again, it is unclear if Agobard is referring to actual conversion. It should be noted, however, that he does state that Christians are led astray "by pretext of society with them," that is, Christians seek the company of Jews for purely social reasons.

Agobard goes on to claim that his attempt to protect Christians from dangerous Jewish influence was opposed by the missi.

The missi and Evrardus in particular who is now Magister of the impious Jews attempted to destroy our religious work.⁶⁸

Agobard gives the impression that the missi came not merely on account of his baptism of slaves owned by Jews, but also on account of his exhortations to Christians urging them to avoid contact with the Jews. In De insolentia Judaeorum he claims that the missi came in response to a series of sermons in which he had urged Christians to refrain from buying meat or wine from Jews, to stop selling Christian

⁶⁸ De cavenda convictu et societate Judaica. Tentaverunt porro quidam missi, et Evrardus maxime, qui Judaeorum nunc magister est, religiosum hoc nostrum opus destruere.

slaves to Jews, to allow no longer Jewish employment of Christians lest these Christians sabbatize, and to avoid social contact with them.⁶⁹

These sermons, however, were probably not vehement anti-Semitic attacks on Jews and Judaism. Agobard was perhaps attempting to coerce the Magister and the Jews into accepting his position on the baptism of pagan slaves owned by Jews. The measures he urged upon his flock were perhaps not intended as permanent policy, but were merely a means of political pressure. In spite of his controversy with the Jews, Agobard went to Nantua, an indication that he was not engaged in an extensive and intense campaign against the Jews before the arrival of the missi.

The actions of the missi must have been a severe and disillusioning shock to Agobard. Instead of abolishing an uncanonical edict, the imperial authorities used force to return baptized slaves to their original Jewish owners. Agobard's attitude toward the imperial court and the Jews underwent a decisive change. The vehemence of his anti-Semitism in his letter to Nibridius is in sharp and obvious

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De insolentia Judaeorum, 3.

contrast to those letters written before the visit of the missi in which he hardly mentions the Jews. The intervention of the missi apparently destroyed Agobard's hope that the Jews might convert; in De cavenda he despairs of such a conversion and urges that Jews be segregated from Christian society in accordance with the traditions of the Church. No longer does he address himself to the court; instead, he turns to his fellow bishops hoping that they might be able to impose the laws of the Church upon those of the king.⁷⁰ In De cavenda and subsequent letters he makes little mention of the baptismal controversy; he seems to sense that his priestly prerogatives could not be regained unless Carolingian society fundamentally changed its attitude toward the Jews. The prohibition against the baptism of slaves was merely a manifestation of a deeper corruption in the court of Louis and in the empire of the Franks.

The Jews were the source of that corruption. It was not difficult for Agobard to find an explanation for their ascendancy in Carolingian society. The Church Fathers had long ago denounced the Jews as devious and crafty beings prepared to lead Christians astray and possessing almost demonic powers. Given this analysis, all social relations between Christians and Jews became suspect and fraught with

⁷⁰ Swarzfuchs, p. 140.

danger.

Was there an objective basis for Agobard's accusations? Did actions of the Jewish community or individual Jews precipitate and even justify his anti-Semitism? According to Chevallard, Bressolles and Cabaniss, Agobard was reacting to Jewish audacity and boldness.⁷¹ This audacity increased each time the Jews were granted a privilege or were defended by imperial authorities. Cabaniss, as we have seen, makes the astounding claim that militant Jewish proselytizers who used violence against Christians were prevalent in Lyon.⁷² The conclusion that the Jews of Lyon were particularly audacious is derived largely from Agobard's anti-Semitic letters, the objectivity of which is, to say the least, questionable.

There can be no doubt that Jews of the ninth century accepted converts. Most of these converts were probably slaves owned by Jews. In 840 Bodo, an imperial chaplain, caused a major scandal when he fled to Spain in order to

⁷¹ Chevallard, p. 87, claims that Agobard was reacting against the dangerous and audacious behavior of the Jews whose corruption could be felt even within the imperial court. Bressolles, p. 104, states that "one cannot imagine...a high official of the Church abusing his authority against an oppressed minority." The Jews, he goes on to say, were a powerful and domineering group within the Carolingian state because of their imperial connections.

⁷² Cabaniss, pp. 69-70.

convert to Judaism.⁷³ He apparently did not believe it was safe for him to convert to Judaism in Gaul. Although the Jews of Frankland may have accepted individual proselytes from time to time, Jews as a whole lacked any organized missionary institution. Judaism, in fact, was divided over the matter of proselytes; and the Talmud, although generally well-disposed towards converts to Judaism, does contain several unfavorable references.⁷⁴ Proselytism in ninth-century Gaul may best be understood in terms of the general religious atmosphere of the time in which the boundaries between Judaism, Christianity and perhaps even paganism were not clearly discernible as far as the masses were concerned. It was not proselytism which determined the nature of the relationships between most Christians and Jews; it was, rather, the friendly nature of these relationships which may have led to individual conversions to Judaism.

Although Agobard cites Christians who attend the synagogue, observe the Jewish Sabbath, ask Jews for their prayers, and who are trapped by the spiritual teachers of the Jews,

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The correspondence of the Christian Alvarus with the convert Bodo is found in PL, CXXI, cols. 411-514. Bodo's conversion is noted in a number of Frankish chronicles such as Annales Bertiniani, an. 839; MGH, Scriptores, I, p. 433. See Katz, p. 27.

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During the Talmudic period the general attitude toward proselytism was quite favorable. See Barnard Bamberger, Proselytism in the Talmudic Period (New York, 1939).

it is difficult to know if he is referring to actual converts or Judaizers. Agobard himself seems to have been more concerned with denouncing the Jews than with explaining to Christians the nature of their departure from the faith in their relations with the Jews.

Throughout his anti-Semitic letters Agobard emphasizes the evil nature of the Jews and their close alliance with Satan. Such an alliance between the Jews and Satan had been noticed very early in the Christian epoch and the identification of Jew with devil is a major aspect of medieval anti-Semitism.⁷⁵ For Agobard the Jews are the "society of darkness" (societas tenebrarum) and "sons of the devil" (fili diabol).⁷⁶ By their blasphemy they reveal themselves to be "not only liars...but also Antichrist" (non solum mendaces sed et Antichristos).⁷⁷ Christians must avoid contact with Jews, Agobard imputes, "lest...they surrender the freedom of their souls to the yoke of idolatry" (ne... idolatriae jugo autem libertatem animi inclinarent).⁷⁸ The

⁷⁵ Joshua Tractenberg, The Devil and the Jews (New Haven, 1943), p. 33.

⁷⁶ De Cavenda convictu et societate Judaica.

⁷⁷ Agobard, De Judaicis superstitionibus, also known as De superstitionibus Judaeorum, 19; PL, CIV, cols. 77-100 and MGH, Epp. III, pp. 185-199.

⁷⁸ De cavenda convictu et societate Judaica,

charge of idolatry was one which Jews with somewhat more justification hurled at Christians. Agobard, however, like many of his contemporaries, believed that the idols of the pagans represented demons and his identification of Judaism with idolatry is consistent with his view of the Jews as the "sons of the devil." This devilish religion of the Jews is devoid of any true spirituality. Agobard repeats the common charge that the Jews observe a "carnal" religion and in De Judaicis superstitionibus he claims they believe in a corporeal God.⁷⁹

The Jews' ability to resist Christianity stemmed, he believed, from a special power. They could apparently persuade Christians to stray from orthodoxy, but they themselves remained immune from the Christian attempt to convert them. Masters of deception, they could hide their true hatred for Christianity and Christians behind "fallacious blandishments." Not only could they influence the vulgar and rustic, but also persuade imperial officials and members of the imperial household to act on their behalf and to the detriment of the Christian religion.

It is precisely because of his concept of the Jew that Agobard's writings must be treated with caution. He is not

⁷⁹ De Judaicis superstitionibus, 10.

attempting to give an objective account of the relations between Christians and Jews in ninth-century Lyon, but rather, he is attempting to expose the true nature of the Jews as a warning to the faithful. Social relations which were innocent in the sense that the Jew had no designs on the soul of the Christian became fraught with danger. That danger was probably more real to Agobard than to anyone else. If the Jewish threat were as blatant as certain historians have assumed, if there were in fact militant Jews who attempted to convert Christians at the point of the sword, it is remarkable that Agobard was among the very few anti-Semites of his day. It is also remarkable that he himself did not detect a serious Jewish threat until after the visit of the missi.

It would be wrong, however, to affirm that no Jewish ideas influenced Christians of ninth-century Gaul and that there were no Christians who adopted Jewish practices. Agobard claims that such judaizing activities develop from close personal contact with Jews. Properly speaking, however, judaizing does not originate so much from emulation of Jews as from close observation of the Old Testament.⁸⁰ The Sabbath in particular seems to have exerted much

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Newman, p. 44.

attraction during the eighth and ninth centuries⁸¹ and Agobard often expresses alarm at Christian recognition of this day. Observation of the Sabbath was specifically enjoined by the Ten Commandments, and there may have been Christians who found the Church's explanation for the observation of Sunday in contradiction to the spoken word of God.

To a certain extent the ideological basis for the Carolingian state was conducive to judaizing. Pepin was anointed by Boniface in imitation of Saul's anointment by Samuel; the first Carolingian king, like those of ancient Israel, became ruler not by will of the people but by will of God.⁸² The relation between God and the kingdom of his chosen people is dealt with at length in the Old Testament and hardly mentioned in the New; it is not surprising that Carlemagne instructed the court scholars to prepare accurate translations of the Old Testament.⁸³ The image of the ancient kingdom of Israel surrounded by hostile heathens must have exerted some influence on the Carolingian imagination and it is not too surprising that Charles himself was

⁸¹B. Blumenkranz, "The Roman Church and the Jew" in Roth, pp. 85-86.

⁸²Halphen, p. 24.

⁸³Newman, p. 40.

given the nickname of David. It would, of course, be absurd to claim that Pepin, Charlemagne, and the clerics who provided them with their ideology were judaizers and, in fact, during the reigns of both rulers Christians were warned to observe the Lord's Day on Sunday and to refrain from judaizing practices.⁸⁴

In spite of such warnings Christians were attracted to the Sabbath. Agobard is particularly fearful lest Christian domestics observe the Sabbath of their Jewish employers.⁸⁵ He is enraged with impertinent Christians who attend the synagogue on that day in order to hear sermons they consider better than those preached in their own churches.⁸⁶ In De cavenda he complains that the missi greatly harmed the Christian religion by changing the market day from Saturday to another for the sake of Jewish merchants, and he condemns those Christians who, on account of familiarity with Jews, honor the Sabbath.

No doubt one purpose of Agobard's attacks on the Jews was to put an end to sabbatizing. It is not known how

⁸⁴ Capitularia synodi Verdenensis, 14; Mansi, XVIIb, col. 173. Capitularia Aquisgranense, c. 15; Mansi, XVIIb, col. 219.

⁸⁵ De insolentia Judaeorum, 3.

⁸⁶ Ibid., 5.

successful he was in this endeavor, but it seems that the people in Lyon were not particularly responsive to his campaign against the Jews. In spite of the forcefulness of his denunciations, there is no evidence of an outbreak of mass violence against the Jews. Even the forceful return of the slaves by the missi failed to produce much of a reaction. Christians, Agobard states, were "saddened;" they were not outraged. It is possible, of course, that the display of imperial force prevented violence against the Jews. The state had clearly indicated that it would tolerate no violation of the privileges the king had granted the Jews. The people of Lyon, however, seem to have been rather tolerant. It is possible that the "cosmopolitan" population which consisted of Franks, Burgundians, Aquitanians, Visigoths, and Jews contributed to this sensibility.⁸⁷ Agobard, probably, regarded such tolerance as an indication of religious and moral laxity. His campaign against the Jews was an attack on tolerance and diversity and ideas which the bishop considered "superstitious." Implicit in the attack is the attempt to define Christianity in an exclusive manner and to purge the Church of dangerous influences. To purge such influences

⁸⁷ Cabaniss, "The Heresiarch Felix," Catholic Historical Review, vol. XXXIX, pp. 129-130. Cabaniss claims the interest shown in Felix by the people of Lyon was in part a result of this tolerance.

from the Church Agobard believed it was necessary to attack the Jews who presented the most intellectually coherent opposition to Christianity⁸⁸ and whose dangerous power had been manifest in the visit of the missi.

The Jews threatened the unity of the Church. A particularly relevant passage is found in De Judaicis superstitionibus. Agobard quotes a passage from Irenaeus, a somewhat different version of which may be found in Eusebius' History of the Church.⁸⁹ Irenaeus praises the refusal of Polycarp to greet the heretic Marcion, claiming that when he looked into Marcion's face he saw not the face of a man but the face of Satan. Irenaeus goes on to say that Polycarp often told the story of the Apostle John's refusal to enter the building into which the heretic Cerinthus had gone lest the wrath of God cause the roof to collapse. Agobard comments on Cerinthus.

To this if anyone should say that Cerinthus was a heretic and not a Jew let him know at the time of the apostles there were no heretics except Jews and Samaritans. Such were Simon, Menander, Hebion and Nicholas. From the errors of the above Cerinthus he should know that all who supported him were Jewish because he said our Lord Jesus Christ was merely human and did

⁸⁸ James Parkes, A History of the Jewish People (Chicago, 1962), p. 69.

⁸⁹ Eusebius, History of the Church, book IV, c. 14.

not rise from the dead and that it was proper to be circumcized.⁹⁰

Jews are, in fact, the worse sort of heretic:

...one should recognize that consort with the Jews is more harmful and is to be cursed with more detestation than that with other heretics. For if it is proper that all are to be detested because they are enemies of the truth much more are those who exert hostility. It is characteristic for heretics to perceive some things in common with the Church and to dissent from other things, that is, in part to blaspheme and in part to agree with the truth, but the Jews lie and blaspheme in all ways....⁹¹

Church Fathers often claimed that heretics were agents of Satan charged with the task of disrupting, confusing, and disuniting the Church. According to Agobard the Jews of Lyon performed an identical function by spreading their ideas and practices among the people and by causing a serious dispute between the king and the bishop. The Church, it should

⁹⁰ De Judaicis superstitionibus, 9. Ad haec si forte aliquis dicit Cerinthum hereticum fuisse, non Judaeum, noverit temporibus apostolorum non fuisse hereticos nisi ex Judaeis et Samaritanis. Sicut fuerunt Simon et Menander, Hebion et Nicolaus. Sed ex erroribus supradicti Cerinthi cognoscat quod omnia sint Judaica quae astruebat. Praedicabat Dominum nostrum Jesum Christum purum fuisse hominem, nec resurrexisse, et circumcidi oportere.

⁹¹ Idem., ...advertat multo detestabilius execranda et vitanda consortia Judaeorum, quam ceterorum hereticorum. Quia si omnes propterea detestandi sunt, quoniam inimici veritatis existunt; multo illi magis qui majores exercent inimicitias. Re etenim vera proprium est hereticorum in aliquibus sentire cum Ecclesia, in aliquibus dissentire ab ea, hoc est, ex parte blasphemare, ex parte veritati consonare; Judaeorum autem ex toto mentiri, ex toto blasphemare...

be noted, never actually declared that Jews were heretics, but the identification of both heretics and Jews with Satan led to confusion in the minds of many people.⁹² Agobard himself was not immune to this confusion.

The Jewish problem was not merely a local problem but one which confronted the entire society. Agobard, therefore, attempted to gain broad episcopal support for his anti-Semitic program. But such support was not easy to obtain and at the Council of Lyon in 829 only two bishops, Faof of Chalons-sur-Saone and Bernard of Vienne, joined with him to compose the letter De Judaicis superstitionibus to Louis the Pious.⁹³ The Council of Lyon was one of four provincial councils called for by Louis the Pious to discuss the cause of divine wrath which manifested itself in the forms of famine, plague, and disorders upon the land of the Franks.⁹⁴ Agobard may have recalled warning Louis that unless the law of God was followed in matters pertaining to slaves owned by Jews, grave disasters would befall his kingdom.

In 829 Agobard wrote another letter to Louis, De insolentia Judaeorum, which he prefixed to De Judaicis

⁹² Trachtenberg, p. 176.

⁹³ For the dating of this letter consult the appendix.

⁹⁴ Epistola Ludowicis ad episcopos; Mansi, XIV, col. 529.

superstitionibus. De insolentia Judaeorum is essentially an introduction to De Judaicis superstitionibus, and in it Agobard condemns the actions of the missi and the audacity of the Jews. According to Agobard, the support of the missi and the forceful return of baptized slaves greatly increased the boldness of the Jews.

This confirmed the opinion of the Jews so that they dare irreverently to tell the Christians what should be believed and observed, openly blaspheming against our Lord God and Savior Jesus Christ.⁹⁵

It is possible that certain Jews emboldened by imperial support did attack Christianity and used the episode to "prove" that they were a people especially favored by the king and God.

Agobard proceeds to enumerate specific complaints against the Jews. He denounces the Jewish practice of selling meat and wine ritually unfit for Jewish consumption to Christians. He describes accurately the rabbinic investigation of freshly slaughtered carcasses as if he had himself witnessed such an examination, and claims that such meat is sold to Christians

⁹⁵ De insolentia Judaeorum, 2. Sententia Judaeorum ita confirmata est, ut auderent irreverenter praedicare Christianis quid potius credendum esset ac tenendum; blasphemantes coram eis Dominum Deum ac Salvatorem nostrum Jesum Christum.

by Jews who mockingly refer to the "Christian sin" (Christiana pecora).⁹⁶ He also condemns Jews for gathering wine spilled "on any sordid place" (in quolibet loco sordido) for sale to Christians.⁹⁷ Jews did in fact sell ritually impure wine to Christians, but that wine which had actually touched the floor or earth was considered ayin nefish (forbidden wine) from which no benefit whatsoever could be derived.⁹⁸

Agobard had forbidden Christians to purchase wine from Jews but his injunction was ignored and he complains that the Jews boast of the silver they have obtained by selling such wine to the Christians. He goes on to say that these same Jews display garments given to them by the women of the imperial court, and they brag about the number of new synagogues constructed in violation of the law. These violations of the law are tolerated on account of the favoritism of the imperial court where there were many important people (excelentissimae personae) who seek not only the goods of Jewish merchants but also their benedictions.⁹⁸

⁹⁶ De insolentia Judaeorum, 3.

⁹⁷ Ibid., 4.

⁹⁸ Babylonian Talmud, Abod Zarah 31a-31b and 60b.

The most serious Jewish violation of the law was the sale of Christian slaves to the Moslems in Spain. Agobard makes this charge in a postscript to De insolentia Judaeorum.

And while the preceding part of this letter was being written, a man arrived fleeing from Cordova in Spain who said he had been taken by a certain Jew from Lyon when he was a small boy and sold. He fled this year with a companion who was stolen in Arles at the age of six. When we sought knowledge of him who was stolen we were told by him of others stolen by the same Jew and bought and sold and by another person of a boy stolen by a Jew and sold. Even now there are found many Christians sold by Christians and bought by Jews who by them endured abomination too sordid to be written.⁹⁹

The sale of Christians to Jews and Moslems had been strictly forbidden.¹⁰⁰ Jewish merchants, however, sold relatively large numbers of slaves to the Moslems in Spain and among these slaves were many Christians.¹⁰¹ Some of these Christians may have been acquired through acts of brigandage and kidnapping, but Agobard himself clearly indicates that most

⁹⁹ De insolentia Judaeorum, 6. Et cum praecedens schedula dictata fuisset, supervenit quidem homo fugiens ab Hispaniis de Cordoba, qui se dicebat furatum esse a quodam Judaeo Lugduno ante annos viginti quatuor, parvum adhuc puerum, et venditum, fugisse autem anno presenti cum alio qui similiter furatus fuerat Arelate ab alio Judaeo ante annos sex. Cumque hujus, qui Lugdunensis fuerat, notos quereremus, inveniremus, dictum est a quibusdam et alios ab eodem Judaeo furatos, alios vero emptos ac venditos; et ab alio quoque Judaeo anno presenti alium puerum furatum et venditum; qua hora inventum est plures Christianos a Christianis vendi et compari a Judaeis, perpetrare ab eis multa infana quae turpia sunt ad scribendum.

¹⁰⁰ Capitulare Liptinense (743), c. 3; MGH, Capit., vol. I, p. 28. Capitulare Haristallense (779), c. 19; MGH, Capit., vol. I, p. 51. Also see Katz, pp. 101-102.

¹⁰¹ Verlinden, pp. 213-215.

Christian slaves and the sale of such slaves to the Moslems required not only the enforcement of previous canons but also a fundamental change in the attitude of many Christians toward the Jews.

To explain his position to the Christians of Lyon, Agobard made use of a simple parable.

...I spoke to Christians in this way. If any man loves and is faithful to his lord and senior and if that man sense that another is an enemy, a detractor, a reviler, and a threatener to his lord and senior, he will not wish to be his friend, his guest at the table, nor a participant in his feasts. For if he were and his own lord should find him out he would not think him faithful.¹⁰²

Friendship with Jews is thus incompatible with service to Christ. To serve Christ faithfully, one must avoid all contact with his enemies and detractors, the Jews.

De insolentia Judaeorum is essentially Agobard's account of specific acts of Jewish insolence. In De Judaicis superstitionibus, Agobard presents his solution to the problems created by the Jews, the rigorous enforcement of all previous

¹⁰² De insolentia Judaeorum, 4. ...dixi Christianis hoc modo: Si aliquis homo seniori suo vel domino fidelis et amator existat, et quempiam hominem senserit illi esse inimicum, detractorem, conviciatorem, et comminatorum, non vult ei esse amicus, nec socius mensae, nec particeps ciborum. Quod si fuerit, et hoc senoir ipsius vel dominus deprehenderit, nec fidelem sibi eum esse existimat.

canons pertaining to them. De superstitionibus is, however, not merely a program; it is also a religious and theological justification for his anti-Semitism in which Agobard attempts to prove that his program is not only consistent with, but enjoined by both Testaments, the Fathers of the Church, and the traditions of the Gallic Church. He explains to Louis that since their inception the Jewish people have been a polluted race who consistently rejected God and even now work against Him allying themselves with the dark forces of the Antichrist.

...We wish to warn you of the danger to souls brought to the faithful by the vessels of the devil, that is, the minds of the Jews, so that you might order a remedy for all. Although it is most dangerous for us to say or acknowledge that as in the time of His passion our Lord Jesus Christ...was sold by a false disciple to his true persecutors for mocking and crucifixion, thus now is he prepared by the impious Jews in the same way to be cursed and blasphemed freely. We write a few examples and statutes from the Fathers, the Acts of the Apostles, the Evangel, and the Old Testament in order to strengthen the pious vigilance of government...¹⁰³

¹⁰³ De Judaicis superstitionibus, 1. ...Valuissimus ausibus vestris ingerere damna animarum, quae per vasa diaboli, mentes videlicet Judaeorum, fidelibus inferuntur, adhiberi omnino juberat pietas vestra remedium. Nunc autem (quia periculosissimum nobis est dicere et innotescere, quod sicut tempore passionis suae dominus noster Jesus Christus...comparatus a veris persecutionibus ad illudendum et crucifigendum, ita nunc comparetur ab impiis Judaeis quodam modo vituperandum licentius at blasphemandum) scribimus tantum pauca de exemplis et statutis Patrum, ac deinde de Actis apostolicis, sive de Vangelis et Veteris Testamenti Scripturis, ad confirmandum piam gubernationis vigilantium....

Implicit in this letter is the belief that the sacred laws of the Church take precedence over those of the state, an opinion expressed in a number of Agobard's writings. Early in the letter Agobard repeats the famous story of the resistance of Ambrose to Theodoric's decree that a synagogue destroyed by a Christian mob be rebuilt at the expense of the Church. Clearly Agobard was giving the king a warning. It was the duty of the emperor to uphold the laws of the Church and should he violate these rules it was the duty of the Church to correct him. Louis' policy toward the Jews was in violation of Church law and for Agobard to ignore this violation would be a dereliction of his Christian duty.

As a Christian the emperor was required to obey the laws and canons of the Church. Because of his special position above society, he was also required to see that society as a whole adhered to Christian law and principles. Those laws and principles were, according to Agobard, embodied in the sacred canons, the source of which was the will of God. The fourth through seventh chapters of the letter therefore consist largely of recapitulations of Merovingian Church laws pertaining to the Jews. Agobard repeats many of these canons and stresses that among those who attended these councils were men of exceptional piety giving special emphasis to the participation of the bishops of Lyon.

The bishops who attended the Council of Epaone (516) which forbade Christians to feast with Jews concluded their canons with a strict injunction.

And in the conclusion of their statutes acknowledging the presence of the Lord as He Himself said: 'Where two or three are gathered in my name, I am there in their midst' decreed thus: 'Wherefore these things were resolved by common consent and heavenly inspiration, if any of these holy priests who confirmed these statutes with their signatures and also any who God might choose to be a successor should stray having rejected the integrity of observation, let him know he is accused by divine judgement as well as that of his brothers.¹⁰⁴

Agobard believes that he is thus obligated to follow the decisions of a council which convened almost three hundred years before his birth. Essentially he takes the same position he took in demanding full restoration of Church properties and in supporting the claims of Lothar; that which has been approved by the Church is to be observed in its entirety unchanged until God acting through His Church sees fit to make a change.

¹⁰⁴ De Judaicis superstitionibus, 4. Et in conclusione statutorum suorum, confisi de preentia Domini, sicut ipse ait: 'Ubi duo vel tres congregati fuerint in nomine meo, ibi sum ego in medio eorum, ita sanxerant: 'Quocirca haec quae superna inspiratione communi consensu placuerunt, si quis sanctorum antistitum, qui statuta presentia subscriptionibus propriis firmaverunt, necnon et quos eorum Deus esse voluerit successores, relecta integritate observationis excesserit, reum se divinitatis pariter fraternitatis iudicio futurum esse cognoscat.

The canons themselves merely provide a means of dealing with the Jewish threat. The justification for that means and for the separation of the Jews from Christian society is contained in the sacred books of the Jews themselves. It was the common belief of Christians that the Old Testament not only proved the validity of Christianity but also demonstrated beyond any doubt the rejection of the Jews by God. Thus the ejection of Hagar from the household of Abraham is indicative of God's rejection of Israel.¹⁰⁵ Since in theory Christian society, the Empire, adhered to divine principle, those whom God had rejected were to be rejected by society.

The curse Moses placed upon Mount Hebal and the blessing he placed on Garazim are indicative of this rejection.

These words are filled with great meaning. They are not to be fulfilled until the waters of the Jordan are crossed, that is, the consecration of the water by the touch of the body of Christ having been baptized. For Garazim which means division signifies the apostolic division from the unfaithful synagogue... But Hebal which means ancient abyss signifies the carnal and repudiated synagogue.¹⁰⁶

¹⁰⁵ De Judaicis superstitionibus, 21.

¹⁰⁶ Ibid., 25. Quae verba cum permagnificis sensibus plena sint, non ante potuerunt impleri, nisi Jordane transito, id est, baptismi sacramento corpore Christi tactis aquis Jordanicis dedicato. Garizim namque, qui interpretatur divisio, significat apostolicum plebem divisam ab infidelium synagoga... Hebal autem, qui interpretatur vorago vetus, significat carnalem et infidelium synagogam....

The Jews cursed and repudiated by God are a polluted people. Their own prophets who exposed their iniquity warned them against contact with idolaters.¹⁰⁷ Moses himself cursed the Jewish people for their rejection of Jesus Christ by means of his prophetic foresight.¹⁰⁸ The rejection of Jesus Christ is the rejection of God and thus the Jews themselves brought about their repudiation by God. Because they reject God, the Jews, according to Agobard, are idolaters and just as Israel was admonished to avoid contact with the idolatrous Canaanites, the Church, the true fulfilment of Israel, must guard against any Jewish contagion.

Implicit in the rejection of Jesus as Christ is the Jewish acceptance of the Antichrist:

...it is said that the Jews are not only liars, but also Antichrist. They who deny the Son and without reason acknowledge the Father, not however, recognizing the Son, do not deserve the Father and above all they who deny that Jesus was born of the Virgin Mary assume the name and the eloquence of the Antichrist himself. Who but the Antichrist, unless Jesus were not Christ, would say that he is that which he himself falsely believes? In this alone does the blasphemy of the Antichrist exceed that of the Jews because he proclaims himself to be Christ.

¹⁰⁷ De Judaicis superstitionibus, 11.

¹⁰⁸ Ibid., 25. The curse of Moses may be found in Deut. 28: 16-19.

In this, however, are the Jews equal in their blasphemy because they dare to deny that Jesus is Christ. Therefore in so many ways do their blasphemies agree with those of the Antichrist. Who would share the same table with the Antichrist and assert he serves faithful to God.¹⁰⁹

The Jews do not merely deny that Jesus was Christ. They also circulate blasphemous stories of his life.

They read in the teachings of their elders that Jesus was a certain youth honored among them who having been educated by John the Baptist had many disciples one of whom on account of dullness of sense he called Peter....

[They claim] that Jesus was cast into prison by order of Tiberius because his daughter, to whom an heir was promised without a man, gave birth to a stone. He was suspended from a furca like a detestable magician and killed when struck on the head with a rock. His body was placed in the custody of a certain Jew and buried next to an aqueduct, but that night the aqueduct was raised by a flood.

By order of Pilate he was sought for a year and not discovered. Then Pilate promulgated a law. 'It is evident,' he decreed, 'that he has

¹⁰⁹ De Judaicis superstitionibus, 19:declaratur non solum mendaces sed et Antichristos esse Judaeos, qui cum negent Filium, frustra confitentur Patrem; non autem confitentes Filium, nec Patrem habere merentur; super omnia vero Jesum, qui ex Maria virgine ortus est, Christum esse negantes, Antichristi sibi et nomen pariter et eloquium vindicarunt. Nam quid aliud Antichristus dicturus est, nisi Jesum quidem non fuisse Christum, se autem esse quod illi veluti falso creditus fuerit? In hoc ergo solo blasphemiam Judaeorum superat Antichristus, quod se prae-sumit nuncupare Christum. In hoc autem Judaei nequitiam equiparant Antichristi, quod Jesum negare audent fuisse Christum. In tantum igitur Antichristi, in quantum blasphemiae ipsorum blasphemias consonant Antichrist. Quis autem cum Antichristo mensam habeat communem, et Christo se asserat servare fidem?

been resurrected as he promised. He who was killed by your hatred is not to be found in his tomb or in any other place and for this reason I order you to adore him. He who does not let him know his share in the future is hell.'

All the elders imagine these things and read about them eagerly in stupid obstinance so that by such comments the truth of the virtue and passion of Christ is avoided as if adoration would not have been offered to God except that Pilate ordered it.¹¹⁰

Such blasphemous pieces of literature did in fact exist.

Known as the Toledeth Yeshu, the earliest version extant was written in the tenth century. Agobard's version differs substantially from this version,¹¹¹ but these differences do not concern us. Such blasphemous attacks are hardly examples

¹¹⁰De Judaicis superstitionibus, 10. Nam et in doctrinis majorum suorum legunt, Jesum juvenem quemdam fuisse apud eos honorabilem, et magisterio Baptistae Joannis eruditum, quamplures habuisse discipulos, quorum uni propter duritiam et hebitudinem Sensus, Cephae id est Petrae nomen imposuerit. ...Tiberii judicio in carcerem retrusum, eo quod filia ipsius (cui, sine viro, masculi partum promiserat) lapidus conceptum intulerit. Inde etiam, veluti magum detestabilem, furca suspensum; ubi et petra in capite percussum atque in hoc modo occisum, juxta quemdam aquaductum sepultum, et Judaeo cuidam ad custodiam commendatum; noctu vero subita aquaductum indunuatione sublatum, Pilati jussu per duodecim lunas quaestium, nec usque inventum. Tunc Pilatum hujusmodi ad eos promulgasse legem: 'Manifestum est,' inquit, 'resurrexisse illum sicut promiserat, qui a vobis per invidiam peremptus est, et neque in tumultu, neque in ullo alio invenitur loco. Et ob hanc causam praecipio ut adoretis eum. Quod qui facere noluerit, partem suam futuram esse inferno cognoscat.' Haec autem omnia ideo seniores eorum confinxerunt, et ipsi stulta obstinatione lectitant, ut talibus commentis tota et virtutis et passionis Christi veritas evacuetur, et ut adoratio non ei ut Deo veraciter exhiberi debeat, sed Pilati tantum lege illi delatum sit.

¹¹¹

Bressolles, p. 114; Katz, p. 66.

of any special Jewish audacity; they fit well into the general pattern of polemic in which both Christians and Jews engaged with equal vigor. It is ironic that certain historians who find the Christian zealot praiseworthy for his spirited defense of his faith find the Jew heinous and arrogant for the defense of his.

Agobard's knowledge of Judaism also included an awareness of various mystical traditions which were later incorporated into the Kaballah. In a remarkable passage Agobard summarizes the mystical beliefs of the Jews of ninth-century Lyon.

They say that God is corporeal, differentiated in corporeal linaments through limbs, and that He talks with a certain part like us, hears with another, talks with another, and with another He moves. In this way the human body is made in the image of God except that His hand has inflexible fingers because he is able to create without hands.

He is accustomed to sit alone on a huge throne surrounded by four beasts in a certain large palace. There He thinks many vain and superfluous thoughts which because they are unable to come into effect turn into demons. As we have said they establish falsehoods in their hearts and not the truth of the incontrovertible and immutable God.

They believe that the letters of the alphabet exist eternally and that before the beginning of the world to have obtained diverse ministries by which it is fit for them to preside over the world. They also claim that the law of Moses was written before the creation of the world.

They affirm that there are many earths, hells, and heavens one of which they call Racha, that is firmament, which they assert sustains the millstone of God on which the manna to be eaten

by the angels is ground into flour.
 Another they call Araboth on which they
 assert God resides following the psalm:
 'He rides over Araboth.' And they say he
 has seven trumpets one of which measures
 over a thousand cubits. And what more.
 There is no page or sentence of the Old
 Testament about which their elders have not
 written lies and exhausted. Even today
 they make up superstitious novelties which
 they presume answer questions.¹¹²

Agobard's allegations contain more than a grain of truth.
 His claim that the Jews believe in a corporeal God is, of
 course, untrue. Such a claim is, however, consistent with
 the belief that the Jews follow a carnal rather than a divine
 religion and is also an understandable misinterpretation of
 one aspect of Jewish mysticism.

¹¹² De Judaicis superstitionibus, 10. Dicunt denique Deum
 suum esse corporeum, et corporeis liniamentis per membra dis-
 tinctum, et alia quidem parte illum audire ut nos, alia
 videre, alia vero loqui, vel aliud quid agere; ac per hoc
 humanum corpus ad imaginem Dei factum, excepto quod ille
 digitos manuum habeat inflexibiles ac rigentes, ut pote qui
 nil manibus operetur. Sedere autem more terreni alicujus
 regis solio, quod a quatuor circumferatur bestiis, et magno
 quamvis palatio contineri. Cogitare etiam multa superflua
 et vana; quae quia ad effectum cuncta venire nequeant, ver-
 tantur in demones. Sed et innumera infanda de Deo, ut diximus,
 suo praedicant, ac tale colunt simulacrum, quod ipsi sibi in
 cordium suorum simulacra finxerunt et statuerunt, non verum,
 inconvertibilem atque immutabilem Deum, quem penitus ignorant.
 Litteras quoque alphabeti sui credunt existere sempiternas, et
 ante mundi principium impertasse diversa ministeria, quibus
 eas oporteat in saeculo praesidere. Legem vero Mosaicam multis
 annorum curriculis ante mundum fuisse scriptam. Nec non
 affirmant plures esse terras, plura inferna, pluresque coelos:
 quorum unum, quod ipsi vocant Racha, id est, firmamentum,
 molas Dei sustenare asserunt, quibus manna sumendum angelis
 molatur in escam. Alterum vero appellant Araboth, in quo
 Dominum astruunt residere, et hoc esse in Psalmo secundum illos:

This mystical tradition is embodied in the Shiur Komah literature which flourished from the third to ninth century A. D. This literature sought to emphasize the absolute and transcendent glory of God by describing Him in grandiose anthropomorphic terms.¹¹³ Related to this was the Merkabah literature which was based on the vision of Ezekiel and which described the throne of God, the animals which surrounded it, and the heavenly palace.¹¹⁴ Both Racha and Araboth are mentioned in the same passage in the Talmud. Araboth is described as the seventh heaven on which God resides. In this passage, however, it is not Racha, the second heaven or firmament, which supports the millstone of God, but the third Heaven Shekachim.¹¹⁵ The pre-existence of the alphabet and the law of Moses; the ministries of the letters, the multiplicity of worlds, hells, and heavens; the

'Iter facite ei qui caballicat super Araboth.' Habere Deum propterea septem tubas, quarum una mille ei cubitis metiatur. Et quid plura? Nulla Veteris Testamenti pagina, nulla sententia sit, de qua vel a majoribus suis non habeant conficta et conscripta mendacia, vel ipsi hodie nova semper superstitione confingant, et interrogati respondere praesumant.

¹¹³ Katz, pp. 66-68. Gershom G. Scholem, Major Trends in Jewish Mysticism (New York, 1954), pp. 63-67.

¹¹⁴ Scholem, pp. 58-63.

¹¹⁵ Katz, p. 67. Babylonian Talmud, Tractate Hagigah 12b.

vain and superfluous thoughts of God which transform themselves into demons, all figure in that fabulous mystical work, the Zohar, which, although not written until the thirteenth century, relied on much older traditions.

Agobard, thus, possessed a considerable knowledge of authentic Jewish traditions. As we have seen he was also familiar with the ritual examination of meat. He may also have known Hebrew. He correctly interprets "Hebal" to mean ancient abyss and "Gazarim" to mean division.¹¹⁶ In Liber adversum Fredegisum he compares the genders of several Latin, Greek, and Hebrew words.¹¹⁷ These two passages are not conclusive evidence for Agobard's alleged knowledge of Hebrew, but they indicate that he was in contact with Jews and that he probably sought knowledge from them.

Agobard himself writes in De Judaicis superstitionibus that he speaks with Jews almost daily and listens to the "mysteries of their error" (mysteria erroris ipsorum).¹¹⁸ It is possible that Agobard maintained contact with Jews after initiating his anti-Semitic campaign. Agobard had apparently participated in debates with the Magister Judaeorum and such debates may have continued even after the

¹¹⁶ De Judaicis superstitionibus, 25.

¹¹⁷ Agobard, Liber adversus Fredegisum, 8; PL, CIV, cols. 159-174.

¹¹⁸ De Judaicis superstitionibus, 25.

actions of the missi. In the course of these debates the Jewish participant no doubt attacked the divinity of Christ and Agobard could have learned of the existence of such literature in the course of such debates. The Toledeth Yeshu has, in fact, been described as a debating manual for Jewish disputants.¹¹⁹

It is, however, unlikely that the Jews would share the mysteries of their faith with an anti-Semitic bishop. Moreover, such matters were not likely to be brought up in such debates which consisted largely of disputes concerning the interpretation of passages from the Old Testament. As already noted, Agobard reveals no hostility toward the Jews in his two letters which concern the baptism of pagan slaves, and it seems possible that his relations with the Jews before the arrival of the missi were not marred with a great deal of hostility. It is possible that during this period he could have gained a knowledge of Hebrew, Jewish mysticism, and a variety of Jewish customs.

It is therefore improper to speak of Agobard's policy toward the Jews as if the same anti-Semitism formed the basis for all five letters. In Consulatio ad proceres palatii and Contra preceptum impium Jews are hardly mentioned

¹¹⁹ Blumenkranz, "The Roman Church and the Jews," p. 84.

at all; Agobard's main concern is to regain his right to baptize all who desire the sacrament. Louis had granted certain Jews the right to forbid the baptism of their pagan slaves, and Agobard regarded this as a usurpation of the fundamental rights of the Church by the state. The sending of the missi to Lyon and their actions in support of Jewish slave-owners inflamed Agobard against both the Jews and the missi. Underlying the three letters written after the affair of the missi is the belief that in matters pertaining to the Jews, as in all other matters, the laws of the state must conform to the principles and the rules of the Church.

This, however, is not to say that the Jews were merely pawns in a power struggle between Bishop Agobard and the king. Agobard was extremely irritated by any practice which deviated from those he considered orthodox and the Jews of Lyon, although by no means the militant proselytizers Cabaniss claims they were, may have by their very presence caused some Christians to question and even deviate from certain orthodox practices.

APPENDIX

It is probably impossible to establish accurate dates for Agobard's five Jewish letters. Nevertheless, it is relatively easy to establish the sequence in which they were written. A number of historians, including the author of the article on Agobard in the Jewish Encyclopedia, have been badly misled by an acceptance of Baluze's opinion that De insolentia Judaeorum and De Judaicis superstitionibus were written in 821 and are the first letters Agobard wrote concerning the Jews. If this were true, Agobard's concern for the pagan slaves owned by Jews could easily be interpreted as a mere manifestation of his anti-Semitism.

De insolentia Judaeorum discusses the action of the missi in Lyon. The letter concludes with a reference to a letter appended to De insolentia Judaeorum, written in conference with fellow bishops, and which contains excerpts from the Bible, the Fathers, and the canons of the Church. De Judaicis superstitionibus refers to a preceding letter which discussed the insolence of the Jews. Both letters were sent to Louis at the same time. Agobard also discusses the visit of the missi in De cavenda convictu et societate Judaeorum. In Consulatio ad proceres palatii Agobard makes no reference to the missi and in Contra preceptum impium he complains that the Magister Judaeorum has threatened him

with them. Contra preceptum impium was clearly written before the arrival of the missi and the same is true of Consulatio ad procures palatii.

Consulatio ad procures palatii is addressed to Adalard, Wala, and Helischar at the imperial court. Einhard in his annals states that Adalard was allowed to return from exile in 821. He died in 826 and therefore Consulatio ad procures palatii was written between the years 821 and 826. Contra preceptum impium is addressed to Hiduin and abbot Wala. Wala became abbot of Corbie after the death of his brother Adalard and he himself died in 830. Contra preceptum impium could have been written only between the years 826 and 830.

It is possible, however, to narrow the chronological limits for Contra preceptum impium. De cavenda convictu et societate Judaeorum was written after the visit of the missi. According to Simson (Jahrbücher des fränkischen Reichs unter Ludwig dem Frommen), De cavenda was written before 828, the year in or before which Nibridius died. Contra preceptum impium was therefore written between 826 and 828, but before the visit of the missi and the death of Nibridius. The strident emotionalism of Agobard's letter to Nibridius may indicate that it was written very shortly after the departure of the missi.

De insolentia Judaeorum and De Judaicis superstitionibus are more coherent and make use of a number of sources, indicating perhaps that Agobard took great care in their composition and that they were written somewhat later than his letter to Nibridius. According to Hefele, these two letters were written at the Council of Lyon in 829. It does seem probable that Agobard would use this council to gain support for his program and that Louis' call for the four provincial councils convinced him that Louis might be willing to change his Jewish policy. Bressolles, Enge, and Cabaniss have all pointed out that there is no real proof for this opinion and it is admittedly conjectural.

BIBLIOGRAPHY OF MAJOR ORIGINAL SOURCES

Agobardi Opera Omnia, Stephen Baluze, ed. (Paris, 1666),
in Patrologiae Latinae Cursus Completus, vol. CIV, cols.
1-352 (Paris, 1851), J. P. Migne, ed.

Agobardi Epistolae, Ernst Duemmler, ed., in Monumenta
Germaniae Historica, Epistolae, vol. III, Epistolae
Merovinciae et Karolini Aevi (Hanover, 1892).

Agus, Irving. Urban Civilization in Pre-Crusade Europe
(Leiden, 1965). 2 vols.

Mansi, G. D., ed. Sacrorum concilium nova et amplissima
collectio (Florence and Venice, 1759-98). Vols. I-XXXI.

Monumenta Germaniae Historica, Legum sectio II, Capitularia
Regum Francorum, A. Boretius, ed. (Hanover, 1883).

_____, Legum sectio III, Concilia
Aevi Merovinciae, F. Maasen, ed. (Hanover, 1893).

_____, Legum sectio V, Formulae
Merovinciae et Karolini Aevi, K. Zeumer, ed. (Hanover,
1896).

BIBLIOGRAPHY OF SECONDARY SOURCES

Aman, Emile. L'Époque carolingienne, in Augustin Fliche and
Victor Martin, eds., Histoire d'église depuis les origins
jusqua notre jours (Paris, 1941), vol. VI.

Aronius, Julius. Regesten zur Geschichte der Juden im
Frankischen und deutschen Reiches bis zum Jahre 1273
(Berlin, 1902).

Bamberger, Bernard. Proselytism in the Talmudic Period
(New York, 1939).

Baron, Shalmo Wittameyer. A Social and Religious History of
the Jews, vol. IV: The Meeting of East and West (New
York, 1952).

Bellet, Dom Paulino. "El Liber de imaginibus sanctorum bajo
el nombre de Agobardo de Lyon obra de Claudio de Turin,"
Analecta Sacra Tarraconensia, vol. XXVI (1955), pp. 151-
194.

Blumenkranz, Bernhard. "Deux compilations canoniques de Florus de Lyon et l'action antijuive d'Agobard," Revue historique du droit française et étranger, 4th ser., vol. XXXI (1955), pp. 227-254 and 560-562.

_____. Juifs et chrétiens dans le monde occidental, 430-1096 (Paris, 1960).

Braude, W. G. Jewish Proselytising in the First Five Centuries of the Common Era (Providence, 1940).

Bréhier, Louis. "Les colonies d'orientaux en occident au comencement du Moyen Âge," Byzantische Zeitschrift, vol. XII (1903), pp. 1-38.

Bressolles, Adrian. Saint Agobard, Évêque de Lyon, in L'Église et l'état au Moyen Âge, vol. IX (Paris, 1949).

Cabaniss, James Allen. Agobard of Lyon: Churchmen and Critic (Syracuse, 1941).

_____. "Agobard of Lyon," Speculum, vol. XXVI (1951), pp. 50-76.

Carlyle, A. J. and R. W. A History of Medieval Political Thought in the West, vol. I: The Second Century to the Ninth (London and Edinburgh, 1930).

Cellier, Dom Remy. Histoire générale des auteurs sacrés et ecclésiastiques, vol. XII (Paris, 1862).

Chevallard, P. L'Église et l'état en france au neuvieme siècle: Saint Agobard, Archevêque de Lyon, sa vie et ses écrits (Lyon, 1869).

Coville, Alfred. Recherches sur l'histoire de Lyon du V^e aux IX^e siècle (Paris, 1928).

Ebersolt, Jean. Orient et occident, recherches sur les influences byzantines et orientales en France avant les croisades, 2 vols. (Paris and Brussels, 1928).

Enge, Robert. De Agobardi cum Judaeis contentione (Leipzig, 1888).

Gaillard, Henri. La condition de Juifs dans l'ancienne France (Paris, 1942).

Gasnos, Xavier. Étude historique sur la condition des Juifs dans l'ancien droit (Angers, 1897).

- Halphen, Louis. Charlemagne et l'empire carolingien (Paris, 1947).
- Katz, Solomon. The Jews in the Visigothic and Frankish Kingdoms of Spain and Gaul (Cambridge, 1937).
- Kisch, Guido. The Jews in Medieval Germany: A Study of their Legal and Social Status (Chicago, 1949).
- Meynard, C. Berbier de. "Le livre des routes et provinces par ibn Khordadbeh," Journal Asiatique, 6th ser., vol. V (1865), pp. 114ff.
- Newman, Louis I. Jewish Influence on the Christian Reform Movements (New York, 1925).
- Nicholas, M. "Agobard et l'église franque au IX siècle," Revue de l'histoire des religions, vol. III (1881), pp. 54-71.
- Parkes, James. A History of the Jewish People (Chicago, 1962).
- _____. The Jews in the Medieval Community (London, 1938).
- Poole, Reginald Lane. "Claudius of Turin and Agobard of Lyon," chapter I in Illustrations of the History of Medieval Thought and Learning (London, 1920).
- Rabinowitz, Louis I. Jewish Merchant Adventurers (London, 1948).
- Reinach, Theodore. "Agobard et les Juifs," Revue études Juifs, vol. L (1905), pp. lxxxi-cxi.
- Regne, J. Etude sur la condition de Juifs de Narbonne du V^e au XIV^e siècle (Narbonne, 1912).
- Roth, Cecil, ed. A World History of the Jews, vol. XI (ser. 2, vol. 1): The Dark Ages (Rutgers, 1966).
- Simson, Bernhard. Jahrbücher des fränkischen Reichs unter Ludwig dem Frommen, vol. I (Leipzig, 1874).
- Verlinden, Charles. L'Esclavage dans l'Europe medievale, vol. I: Peninsule Iberique - France (Brussels, 1955).

Vic, Claude de and Vaissete, Joseph. Histoire générale de Languedoc, vol. I (Vincent, 1730).

Williams, A. Lukyn. Adversus Judaeos, a Bird's-Eye View of Christian Apologiae until the Renaissance (Cambridge, 1935).

_____. "Haman-Agobard or St. Agobard," Church Quarterly Review, vol. CXV (1933), pp. 67-78.

